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CLARENDON'S
HISTORY OF THE REBELLION AND CIVIL WARS IN ENGLAND.

MACRAY.

London
HENRY FROWDE

OXFORD UNIVERSITY PRESS WAREHOUSE
AMEN CORNER, E.C.

THE

HISTORY OF THE REBELLION

AND

CIVIL WARS IN ENGLAND

BEGUN IN THE YEAR 1641,

PUBLIC
DEPTFORD
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EDWARD, EARL OF CLARENDON.

RE-EDITED FROM

A FRESH COLLATION OF THE ORIGINAL MS. IN THE BODLEIAN LIBRARY,

WITH MARGINAL DATES AND OCCASIONAL NOTES,

BY

W. DUNN MACRAY, M.A., F.S.A.

In Six Volumes.

VOL. I.

(*Books I–IV.*)

Oxford

AT THE CLARENDON PRESS

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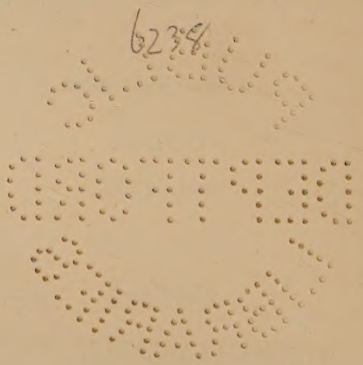

PREFACE.

For this edition the text has been collated throughout, word for word, by the Editor, with the original MS., and he ventures therefore to say with some confidence that it furnishes as exactly as possible the form in which Clarendon wrote his narrative. The points with regard to which variations will be found from the last edition (printed in 1849) are the following:—

1. Various forms of expression which were considered incorrect by former editors, and had consequently been very unnecessarily altered, have been restored, as well as a few obsolete words[1]. Of all these differing readings a list has been given at the end of volume V, by which the number and general needlessness of the former alterations can be seen, as well as very numerous instances in which additional but unnecessary words had been inserted within brackets, without any distinction being made between words altered and words supplied. A few of these additional words are still left, (placed, as before, within square brackets,) where they are required for completeness of construction or of sense.

2. Dates have been assigned, as far as found practicable, to the events narrated or noticed. The absence of all dates, with the exception of a running heading of the current year (which in some instances was, however, totally wrong,) has been a serious defect in previous editions. And the mere insertion of

[1] *E. g.* 'amating,' which had been altered to 'amazing' (book vii. § 106); 'laish' to 'lazy' (xiv. 108); 'truckman' to 'trustman' (i. 75).

a marginal date, without any further note, is not infrequently found sufficient for proving how the memory of the historian (—writing one large portion of his history in island-refuges during the actual progress of the Civil War, under great difficulties and disadvantages, and the rest of it in exile, away from many sources of information—) in various instances played him false, even with regard to events then recent[1]. In cases, somewhat numerous, in which authorities differ as to dates, the Editor has followed the Journals of Parliament, wherever he could find that these (which often differ from Rushworth) supply information, and has of course referred to the Calendars of State Papers so far as these are as yet available. As the publication of these Calendars and of the Reports of the Commission for Historical Manuscripts progresses, it will no doubt become possible to supply dates in various instances where they are now wanting, and it may be in a few cases to detect errors. Like help also may be expected for the last book of the history, from that portion of the Bodleian Clarendon MSS. which is as yet uncatalogued, when the unfinished Calendar of those papers is continued and completed. It may well also be that amidst the mass of documentary evidence which has of late years been published, particulars may have come to light with which the Editor is not acquainted. His task (and that no light one) has been the endeavouring to set up sufficient guide-posts for, at any rate, the ordinary careful reader, along a way where before there were practically none. The chronological sequence of the narrative is often violated by the author's frequently repeating himself, and recurring from one portion of his story to some earlier period which he had already dismissed; and these irregularities in date and connection are largely owing to the fact that when engaged in completing his *History* he interwove in its text large passages

[1] Of this some special instances may be seen in sections 139, 140 of book v.

from his MS. of his *Life*. To fully annotate the book has not been attempted; the notes that are occasionally given are only for the correction of errors, or for the supplying information needful for the better understanding of the text.

3. The manner in which the *History* and the *Life* were worked up together by the author is explained in Dr. Bulkeley Bandinel's preface to the edition of 1826. But for the sake of the light which by knowledge of this distinction between the two sources of the text is thrown on the course of the narrative, as well as to facilitate the finding of any passage in the original MSS. which it may at any time be desired to verify, references have been given in foot-notes in all places where the text changes from the one MS. to the other. Hitherto it has been impossible without great expense of time and labour to verify any passage whatever, from there not having been a single clue given whereby to find it.

4. The numbered sections (so numbered only in the last edition) have been in many instances altered in their division, and the division of sentences has been also not infrequently changed. It was found that sometimes the whole meaning of passages had been perverted, or their connection lost, by incorrect division. These cases are pointed out in the table of *Corrected Readings*. The punctuation, which hitherto has been superabundant to a wonderful extent, has been considerably modified; and marks of quotation have often been omitted in cases where their insertion had represented Clarendon as quoting actual words of others when not himself professing so to do.

5. Names of persons and places have been given throughout in the forms used by Clarendon, except in a few instances presently to be noticed. The late editions have been inconsistent in this respect, generally giving the modern forms but occasionally retaining the old (*e.g.* 'Bromicham'). There can hardly be a question as to the course to be followed on this point. With regard to the names, *Reading*, *Cromwell*, *Strafford*, and

Lockhart, the common forms have been retained, in preference to 'Redding,' 'Crumwell' (for which once only Clarendon writes 'Cromwell'), 'Straford,' and the inconsistent way in which the last name is variously written. Clarendon is also inconsistent in writing both 'Hamden' and 'Hambden,' 'Pimm' and 'Pymm.' With regard to *words* the spelling has, of course, been modernized. Some of Clarendon's peculiarities are, however, worth mentioning. 'Son' is always written 'sunn;' we have 'sute, suting' for 'shoot, shooting' (vol. iii. p. 105), and the old pronunciation of 'oblige,' which has lingered to the present time, is seen in 'obleege' and 'obliege[1].' 'Musket' is always 'musquet;' 'boatswain' is 'bosson' (vol. iv. p. 339); 'yacht' is 'yuaght' (vol. v. p. 45, vi. p. 227).

6. The Index (which was the same for the editions both of 1826 and 1849) has been entirely remodelled, and every proper name both of persons and places has been inserted. The former index was very deficient in most of the elements of a real index; many things were inserted under headings where no one would look for them, many particulars were altogether omitted, and the longer series of articles were so overloaded with needless entries and needless words as to be well-nigh practically useless. The Editor has spared no pains to reduce it into better order, while at the same time largely increasing the number of references.

7. Bishop Warburton's notes, which were printed for the first time in notes to the edition of 1826, and again in the appendix to vol. VI in the last edition, are omitted, as being sufficiently placed on record by this their double publication. The *Short view of the Kingdom of Ireland* is also omitted, as being a distinct work. By these omissions the seven volumes of the last edition are reduced to six. The preface and dedications of the first edition

[1] The pronunciation of proper names may sometimes also be perceived from the spelling, as when we have 'Foskue' for 'Fortescue' (vi. 86).

are deemed of sufficient interest to be still reprinted, as in most of the previous editions[1].

8. The additional passages which in the last edition were relegated to an appendix in vol. VI are restored to the position which most of them occupied in the edition of 1826, being conjoined as foot-notes with the text of the narrative. Although they are sometimes of very great length, it has been deemed better to place them thus, in connection with the portions of the text to which they refer, than to isolate them as before.

Preceding the Index there will be found an Appendix containing a few additional passages in the first four books which are struck out in the MS., and had been at first passed over as being alterations made probably at once by Clarendon upon

[1] These introductions have been sometimes ascribed to Dean Aldrich, but the words of the writer of the preface to the first volume that 'we . . . . had lived to be acquainted with this author' sufficiently show the improbability that Aldrich, who was born in 1647, could at any rate have written that first introduction. They were really written by Laurence Hyde, Earl of Rochester. In a letter written by Dr. Geo. Clarke to Dr. Charlett, Master of University College, dated 18 Feb. 1717 (Ballard MS. xx. 60), there is the following passage: 'I dare say that Dr. Hudson is mistaken about the prefaces to Lord Clarendon; whoever knew that good Dean must know that they are not written in his style, and that the subject of them is not of the sort that he car'd either to write or talk of. That Lord had two sons, who were much likelyer to be the authors of them than the Dean; and I never heard it suspected before that they were not. I take this to be like other pieces of secret history, to which much credit is not to be given.' He then proceeds to say that he very well remembers that he had often heard Aldrich say that the Earl of Rochester would not allow the least alteration, even of a word, to be made in the History, saying that his father's book should be printed in his own words. And Clarke's statement is confirmed in a subsequent letter from Mr. Will. Bishop, of Gray's Inn, to Charlett, dated 2 March, 171⅞, who says, 'What Dr. Clarke writes in relation to the Lord Clarendon, there is great reason to believe to be just and true.' (Ballard MS. xxxii. 53.) A second statement by Dr. Clarke, distinctly assigning the authorship to the Earl of Rochester, on the authority of Dr. Terry, who corrected the press for the first edition, is printed, from a MS. in Worcester College Library, in Lady Theresa Lewis' *Lives of the Friends of Clarendon*, vol. i. pp. *81–*2. (See also p. *76.) An account of the Clarendon MSS. is there given, at pp. *67–*87.

his first penning the passages, or as being repetitions of what is said elsewhere, as well as, in one or two instances, by accidental omission. The alteration made by Clarendon in the very first line of his MS. is pointed out by Ranke (*Hist. of Engl.*, Oxford transl., 1875, vol. vi. p. 8). But Ranke's references to other parts of the MS. are in several instances incorrect. He says that the second book ends on p. 93 of the MS., and is dated 13 June, 1646 (*ib.* p. 8); it really ends on p. 73, and is dated 15 June. That the fourth book was finished 14 Feb. 1647 (*ib.* p. 15); really, '14 June.' That the seventh and eighth books are dated June, 1648 (*ib.*); the seventh is dated at the beginning (MS. p. 427) 18 Oct. 1647, and at the end (p. 527) 8 March, 1647, and the eighth is dated (on its first page) '29th of June.' Ranke is mistaken also in describing the MS. as being written 'almost without correction.' Although in some places many pages occur which may be thus described, there are found elsewhere continual alterations and interlineations, which are sometimes not easily to be deciphered.

To the list of a few *errata*, which follows this Preface, the Editor desires to call the attention of the reader, and to request their correction in the text. With this table are also given two additional passages which should have been placed in the Appendix.

The first two books are largely taken from the MS. of the *Life*; books iii–x are for the most part contained in the MS. of the *History*; of the rest, books xi–xiii are chiefly, and books xiv–xvi almost entirely, to be found in that of the *Life*.

To the notice of the original MSS. given in Dr. Bandinel's preface to the edition of 1826 there is only to be added mention of one other MS. of a portion of the History as originally written, which came to the Bodleian Library among the MSS. of Dr. Richard Rawlinson. This extends to the end of book vii. and about one half of it is in the handwriting of Clarendon's first Secretary, who died in Jan. 1655, William Edgeman; it was begun

in Scilly in 1647, and finished in March, 164$\frac{7}{8}$. It was bought by Rawlinson at the sale of the library of the Duke of Chandos in 1747, for £1 10s. There is also among the Clarendon Papers a copy of the greater part of the ninth book, on seventy-one closely written folio pages, in Edgeman's hand, exhibiting the contents of that book in the original form, without the interpolations subsequently introduced by the author from the MS. of his *Life*. This copy is endorsed by Clarendon, 'Concerning the Westerne businesse[1].'

The MS. from which the copy used for printing the first edition was transcribed appears to be only known from a memorandum by Archbishop Sancroft, to which Dr. Bandinel alludes in his preface in 1826, but for which he gives no reference. The memorandum is found in Tanner MS. 314, fol. 96, and is a copy by the Archbishop of an acknowledgment given by him on receiving the loan of the MS., together with a note of its return, and such a minute description of it as would at once completely identify it were it ever to be met with. The memorandum is as follows:—

'Be it remembered, and I Wm. Ld A. B. of Cant. do hereby acknowledge, that ye right hoble Henry E. of Clarendon Ld Lieuetenant of his Maties kgdom of Irelđ, a little before he was to go thither to receive ye sword, was pleas'd (as a mark of his favor and of the continuance of ye constant friendship he hath long had wth me) to put into my hands, to be by me perus'd, ye MS. copie of *The Historie of ye Rebellion and Civill Warrs in Engld begun in yt year* 1641, &c., compos'd by his father ye right hoble Edw. E. of Cl. late Lord High Chancellor of Engld; consisting of XVI books, contriv'd into 92 quires (each quire being generally and almost universally 6 sheets) conteiñg in ye whole 2200 pages in folio (whereof 34 are blanc) written all, as

[1] A journal kept by Edgeman during the embassy in Spain, and subsequently almost to the time of his death, is amongst the Clarendon MSS., but has been seen too late for use for this edition. It is referred to in the table of *Corrigenda*, but several dates might have been added from it.

it seems, by y^e^ same hand (namely of Mr. Shaw, as his Lo^p^ s^th^); all which I do by these presents firmly oblige myself, my heirs, exec^rs^, and adm^rs^, faithfully, entirely and safely to restore, and redeliver upon demand unto y^e^ s^d^ Henry E. of Clarendon, or unto such person or persons as he shall under his hand appoint to receive the same and enable to give a receit for it; or for want of such appointm^t^ to be deliverd to y^e^ right ho^ble^ Laurence E. of Roch^r^, Lord High Treasurer of Engl̄d, his Lo^p's^ brother. In wittness whereof I have hereunto put my hand and seal y^e^ (*blank*) day of (*blank*) in y^e^ year of o^r^ L^d^ (*blank*)

Seal'd and delliver'd in y^e^
presence of (*blank*)

The former quires of y^s^ MS. (conteiñg between 70 and 80 pages) were put into my L^d^ B̄p of Elie's hands, about a month since; and all y^e^ rest was deliverd to him y^s^ present 19^th^ of May, 1687, at Lambhith, in y^e^ presence of my man Fr. Nicholl, and carried hence by my L^d's^ footboy. And my Lord p̄mis'd me to p̄cure and send to me the receit w^ch^ I gave to my Lord of Clarendon (of w^ch^ y^t^ above is a true copie) for my final discharge in this matter. Ita est. W. Cant.

Y^e^ blanc pages
6 after p. 933
6 after p. 1537
4 after p. 1787
7 after p. 1900
2 after p. 2070
6 after p. 2087
3 after p. 2179
—
34.'

Sancroft then adds on two small scraps notes of a few conjectural emendations of the text, as well as a few queries: *e.g.* he proposes to substitute 'the Papists' in several places for

the 'Catholiques'; where (i. 35) the words occur, 'the purpose was to amuse us,' he shows there was a wrong reading in the copy before him by suggesting 'to amuze us' as a correction for 'to amaze us'; to the words 'whose life is here set down' (i. 125) he adds (as Dr. Bandinel noticed) 'Q. who is y^t?'; to the apparently puzzling mention (i. 137) of Lord Mountjoy being 'more than once married to Lady Rich,' he also puts 'Q.'; and of the uncomplimentary mention of the Scots as 'vermin' (ii. 23) he says that it is 'spoken of the Scots generally.'

The earliest notice found amongst Clarendon's papers of his commencing the History is contained in a letter from him to Lord Widdrington, written from Jersey and dated 5 Aug. 1646, which is printed in the *Clarendon State Papers*, vol. ii. p. 246. The next is in a letter to Sir John Berkeley, dated 14 Aug. following (entered under No. 2280 in vol. i. of the *Calendar*, p. 328); and as this has not hitherto been printed, while it contains a statement of the objects Clarendon proposed to himself in his work, and of his purpose of faithfulness and impartiality, which closely corresponds to passages in the first and third sections of the first book, it is worth the quoting here at length.

'I ought to give you an account of my own time, that you may not believe I am only in love with sleep. As soon as I came to Silley, I began (as well as I could without any papers, upon the stock of my own memory) to set down a narrative of this prosperous Rebellion, and have since I came hither continued it, to the waste of very much paper, so that I am now come to the King's leaving London [*book* iv. § 195], in which, though for want of information and assistants I shall leave many truths unmentioned, upon my word there shall not be any untruth, nor partiality towards persons or sides, which, though it will make the work unfit in this age for communication, yet may be fit for the perusal and comfort of some men; and, being transmitted through good hands, may tell posterity

that the whole nation was not so bad as it will be then thought to have been. I tell you this not only that you may have the most particular account of me and my hours, but that you may contribute to it by your memorials and advice, and by gathering all such store as you meet with and transferring it with your own advertisements to me.'

On the 27th of July in the following year he tells the King (in a letter which is printed in the *Clarendon State Papers*, vol. ii. p. 371) that he is writing the story of his sufferings; and letters throughout that year show his applications to the Earl of Bristol, Culpeper, Nicholas, Sir E. Walker, Dugdale, Lord Digby, and Dr. Stewart, amongst others, for help in materials. And during his retirement in Jersey he devoted, as he says, three hours daily to the writing of a work which he foresaw that posterity would value.

It may be permitted to the Editor to close this notice of his four years' work with a personal reminiscence. At the end of the autobiographical *Memoirs* of the late Mr. Mark Pattison, Rector of Lincoln College, occurs the following passage: 'There seems to have fulfilled itself for me that adage of Goethe, which when I first came upon it appeared a mere paradox—

"Was man in der Jugend wünsche
Hat man im Alter die Fülle;"

of that which a man desires in youth, of that he shall have in age as much as he will.' This has been verified fully in the Editor's experience. In his school-boy days the first book he bought for himself was Clarendon's History of the Rebellion; now, nearly half a century afterwards, it has fallen to his lot to verify from the Author's MS., and to endeavour to present, in some respects, in a more acceptable form to others, that which had a charm for him in those by-gone early years.

W. D. M.

Addenda et Corrigenda.

Vol. I, p. 271, book iii, § 66. The end of this paragraph is marked in the MS. 'Jarsy, 23.'

,, p. 288, *running heading*, for 'The bishops, through bishop Williams,' read 'The bishops are excused from the trial.'

Vol. II, p. 49, line 9 from bottom, *for* unparlleled *read* unparalleled.

,, p. 177, book v, § 334, *margin*, for 'June 1' read 'June 2.' *See* p. 195, § 362.

,, p. 223, last line, book v, § 381, add in margin 'July 4' for date of sir J. Mennes' being set on shore.

,, p. 311, book vi, § 23, add in margin to the first line the date of 'Sept. 13.' The King appears to have stayed *two* whole days at Derby, not one, as stated by Clarendon, leaving it on Sept. 16.

,, p. 335, book vi, § 62, *line 5 of note*, for 'lord Willoughby by his son' read 'lord Willoughby his son.'

Vol. III, p. 449, book viii, § 179, for the note substitute this, '[The countess of Dorset, appointed July 29, 1643. *See* note to x. 103, vol. iv, p. 237].'

,, p. 524 *n.* 2. The first edition of Wishart's Life of Montrose appears to have been printed in 1647, and probably at the Hague.

Vol. IV, p. 22, book ix, § 18, for 'sir Charles Bonkely' read 'sir Charles Berkely.' The name is correctly given as *Berkeley* in former editions, but resembles *Bonkely* in the MS., where the sentence in which it occurs is a somewhat indistinct interlineation in the place of a passage struck out, which passage is given in the note to the text.

,, p. 80, book ix. The following passage is struck out in the MS. following § 76. 'In this time being informed from several very good hands that the lord Goring expressed great animosity against the Prince's council, as the authors of all the miscarriages and misfortunes of the West, and in some company had expressed an equal bitterness against me, to whom he usually, and always to my face, used more than ordinary civility, and indeed so much courtship and a seeming earnest desire of friendship that I was much troubled that I could not make him that return he might expect, since I evidently discerned that he had ends to which I could not contribute; thereupon I writ to my lord Wentworth, from whom I had reason to expect all

acts of justice, and some offices of kindness, to deal freely with me what were the grounds of the lord Goring's discontent in the general and of his prejudice to me in particular. Within three days after, I received a letter from the lord Goring, in which he took notice that some persons had endeavoured to do ill offices between us, and to beget jealousies and unkind thoughts from one towards the other, but assured me that they had never made the least impression in him, and he desired they might not in me; and so concluded with as full terms of kindness and confidence as can be imagined; though the lord Wentworth told me that he had an opinion that I crossed and opposed his designs of command in the West more than other men, and that prince Rupert had told him many particulars that had passed in private discourse between him and me, whereof indeed some were true and others made or enlarged.'

Vol. IV, p. 124, l. 2, book ix, § 128, the date given by Clarendon of 'twentieth of October' is a mistake for 'twenty-sixth,' which was Sunday. Symonds in his *Diary* incorrectly says '*Monday* the twenty-sixth.'

,, p. 135, book ix, § 141. The following lines are struck out in the MS. at the end of the section. 'This is the whole and true relation of all that was done to, with, and against sir Ri. Gre., from the time of the Prince's coming into the West, of which I know not truly what could be reasonably altered if we were to begin again. I go on now where I left.'

,, p. 330, l. 1, book xi, § 23. Add for date of Hyde's leaving Jersey, '26 June.' *Second Report of Hist. MSS. Commission*, p. 163.

Vol. V, p. 45, book xii, § 50, *margin*, for 'June 1' read 'May 29,' and for 'June 5' read 'June 4.' *Journal by Edgeman*, among the Clarendon MSS.

,, p. 49, book xii, § 57, *margin*, for 'June 21' read 'June 29;' and in note, for '18' read '17.'

,, p. 104, book xii, § 119. Liberton arrived at Jersey on 6 Dec. *Second Report of Hist. MSS. Commission*, p. 164.

,, p. 138, book xiii, §§ 10, 12, *margin*, for 'June 5' and '6' read 'June 6' and '7.'

,, p. 306, book xiv, § 50. The date of Lilburne's trial at Oxford was 10 Dec. 1642.

,, p. 355, book xiv, § 110, *margin*, for 'Oct. 15' and '16' read 'Oct. 8' and '9.'

Vol. VI, p. 337, col. 1, l. 14 from bottom, *dele* 'thereupon.'

PREFACE TO THE FIRST VOLUME OF THE FIRST EDITION,

PUBLISHED IN 1702.

At length comes into the world the *first volume of the History of the Rebellion and Civil Wars in England, begun in the year* 1641, *with the precedent passages and actions that contributed thereunto, and the happy end and conclusion thereof, by the King's blessed restoration, and return, upon the* 29*th of May in the year* 1660; written by Edward earl of Clarendon, once Lord High Chancellor of England, and Chancellor of the famous University of Oxford. The first of these great dignities King Charles the Second had conferred on him whilst he was yet in banishment with him; which he held, after the Restoration, above seven years, with the universal approbation of the whole kingdom, and the general applause of all good men for his justice, integrity, sound judgment, and eminent sufficiency in the discharge of that office; a praise which none of his enemies ever denied him, in any time. The other he received from the choice of the University, who, upon the vacancy of that place by the death of the marquis of Hertford, then duke of Somerset, judged they could not better manifest their steadiness in the cause for which they had suffered, and their resolutions of adhering to their old principles, in support of the Church of England, and the ancient monarchical government of this kingdom, than in choosing to place the protection of their interest in both under the care of one who had so early distinguished himself, even from the first approaches of the civil war, in asserting and maintaining the distressed rights of the Church and Crown.

This history was first begun by the express command of King Charles the First, who, having a desire that an account of the calamities God was pleased to inflict on the unhappy part of his reign should be reported to posterity by some worthy, honest, and knowing man, thought he could not appoint any one more adorned with such qualifications than this author.

It is a difficult province to write the history of the civil wars of a great and powerful nation, where the King was engaged with one part of his subjects against the other, and both sides were sufficiently inflamed: and the necessity of speaking the truth of several great men, that were engaged in the quarrel on either side, who may still have very considerable relations, descended from them, now alive, makes the task invidious, as well as difficult.

We are not ignorant that there are accounts contained in this following History of some eminent persons in those times, that do not agree with the relations we have met with of the same persons published in other authors. But, besides that they who put forth this History dare not take upon them to make any alterations in a work of this kind, solemnly left with them to be published, whenever it should be published, as it was delivered to them; they cannot but think the world will generally be of opinion, that others may as likely have been mistaken in the grounds and informations they have gone upon, as our author; who will be esteemed to have had opportunities, equal at least with any others, of knowing the truth; and, by the candour and impartiality of what he relates, may be believed not to have made any wilful mistakes.

However, all things of this nature must be submitted, as this is, with great deference to the judgment of the equal reader; who will meet, in his progress through this work, with many passages, that, he will judge, may disoblige the posterity of even well meaning men in those days; much more then of such as were crafty, cunning, and wicked enough to design the mischiefs that ensued: but he shall meet with none of malice, nor any but such as the author, upon his best information, took to be impartially true. He could not be ignorant of the rules of

a good historian, (which, Cicero says, *are such foundations, that they are known to every body,*) *That he should not dare to speak any falsehood, and should dare to speak any truth*[1]. And we doubt not, but through the whole progress of this History he will be found to have given no occasion of suspecting his writings *guilty of partial favour or unjust enmity*; and we hope, that the representing the truth, without any mixture of private passion or animosity, will be so far from giving offence to any ingenuous man of this time, that it will be received rather as an instruction to the present age than a reproach upon the last.

Moreover, the tenderness that might seem due, out of charity, good manners, and good nature, to our countrymen, our neighbours, or our relations, hath been indulged a long space of time; and might possibly be abused, if it should not give way, at last, to the usefulness of making this work public, in an age when so many memoirs, narratives, and pieces of history come out, as it were on purpose to justify the taking up arms against that King, and to blacken, revile, and ridicule the sacred majesty of an anointed head in distress; and when so much of the sense of religion to God, and of allegiance and duty to the Crown, is so defaced, that it is already, within little more than fifty years since the murder committed on that pious prince, by some men made a mystery to judge, on whose side was the right, and on which the rebellion is to be charged.

We hope therefore it will be judged necessary as well as useful, that an impartial account of the most material passages of those unhappy times should at last come out; and that we shall have the general approbation, for having contributed thus far to awaken men to that honesty, justice, loyalty, and piety, which formerly Englishmen have been valuable for, and without which it is impossible any government, discipline, or authority can be long maintained.

There is no doubt, but this good King had some infirmities, and imperfections; and might thereby be misled into some mistakes in government, which the nation, in Parliament represented, might have reformed by moderate and peaceful counsels.

[1] [*De Orat.*, ii. 15.]

But the reformation lost its name, and its nature too, when so many Acts passed by him in Parliament, that did restrain the prerogative of the Crown from doing the mischiefs it had been taxed with, had not the effect they ought to have met with, of restraining the people too from further demands; and when the inordinate ambition, anger, and revenge of some of the great leaders could not be limited within any bounds, till they had involved the nation in blood, destroyed many thousands of their own countrymen and fellow citizens, and brought at last their own sovereign to lose his head on a scaffold, under a pretended form of an High Court of Justice, unprecedented from the beginning of the world; and, to finish their work, had overthrown all the laws of their own country, in the defence of which, they would have had it thought, they had been obliged to draw their swords.

Without question, every body that shall duly consider the whole account of these transactions will be able to impute mistakes, miscarriages, and faults enough to both sides: and we shall leave them to their own sedate and composed reflections. But we cannot omit making this one observation, that where any king by ill judgment, or ill fortune, of his own, or those intrusted by him in the chief administration of his government, happens to fall into an interest contrary to that of his people, and will pursue that mistake, that prince must have terrible conflicts in the course of his reign, which way soever the controversy ends; on the other hand, that people, who, though invaded and oppressed in their just rights and liberties, shall not rest satisfied with reasonable reparations and securities, but, having got power into their hands, will make unjustifiable use of it, to the utter subversion of that government they are bound in duty and allegiance to support, do but at last make rods for their own backs, and very often bring upon themselves, from other hands, a more severe bondage than that they had shook off.

To demonstrate this general observation, let it be considered in particular, what was the advantage this poor nation gained from all the victories obtained over King Charles in the field,

and, afterwards, in the imprisoning, and prosecuting him to death: what amends did it make for the infringement and prejudice, they complained of, in their rights and liberties, to set up the Protector Cromwell, who, under a thousand artifices and cruelties, intended no other reformation, but, instead of whips, to chastise the poor people with scorpions; and, instead of their idol common-wealth, which some had vainly imagined to themselves, to make himself that very hated thing, a king, which had been so abominable in his own sight? And after him, what did all the other several sorts of government, set up sometimes to gratify the ambition of one party, and sometimes of another, end in, but so many several ways of oppression; which, after many years spent in exhausting the blood and treasure of their country, at length made way for the happy restoration of the son and family of that King, (whom they had so barbarously brought to an untimely end,) with the utmost scorn and derision of all that had pretended to rule in his stead?

Here we might descend into particulars, to make out the other part of our observation, by giving instances, how some of our own kings have, unhappily, been led into very dangerous mistakes in their government; and how many years have passed almost in one perpetual strife, and unfortunate contention between the prince and the people, in points of the highest consequence; and especially those which have brought the prince, sometimes, under the disadvantageous suspicion of being inclined to the love of arbitrary power, and favouring the Popish religion; than which the most mortal enemies to the Crown of England cannot possibly contrive, or wish, more miserable circumstances for it to be involved in. But we are rather desirous to draw a veil over all the calamities that have proceeded from this cause; as well because the impressions those mistakes have made, and the marks they have left behind them, will not easily be worn out; as that it might look like insulting over their misfortunes who have been the chief losers by them; which we have, in no kind, the inclination or the heart to do: neither would we be thought to give countenance, by what we write, to the opinions of those who would justify the rising up in arms

of subjects, to do themselves right in any controversy between them and their king.

Non hæc in fœdera[1]————

The nature of our excellent government hath provided, in the constitution of it, other remedies, in a Parliamentary way; wherein both the prerogative of the Crown and the rights of the people may be better secured: and besides, we know to whom vengeance peculiarly belongs, and that He who challenges that power to Himself will not suffer it to be communicated to any other.

But we should think ourselves very fortunate, if, in the reflections we have been making on this subject, we have represented the truth, on both sides, with that fairness and impartiality, in the perplexed condition of our own affairs, that all princes may see and judge, that it can never turn to their advantage to be in an interest contrary to that of their people, nor to give their subjects unreasonable provocations. For (as in other cases, where the laws both of God and man are too often broken, though very strict and positive, so in this point too) the people may not always be restrained from attempting by force to do themselves right, though they ought not.

And we hope no less, that the people will be convinced, that it were wiser and better for them to obtain the redress of their grievances by such ways as the ancient laws of this kingdom have provided; and that the constitution of King, Lords, and Commons is the happiest composition of government in the world, and so suited to the nature of English men generally, that though it be expelled for a time, yet it will return.

We would therefore heartily wish both for prince and people, if either of them should be guilty of any irregular deviations from their own channels, that they who are injured would content themselves with gentle applications, and moderate remedies, lest the last error be worse than the first; and above all, that whosoever may have a thought of ruling in this land may be throughly convinced in his own judgment, that it is a crown of briers and thorns that must be set on his head, without he can

[1] [Virg., *Æn.* iv. 339.]

satisfy all reasonable men that it is his fixed principle and resolution inviolably to defend our religion and preserve our laws.

Upon the whole matter, we have often wondered, and rest still amazed, that any prince should care to govern a people against their nature, their inclinations, and their laws. What glory can it be to a prince of a great spirit, to subdue and break the hearts of his own subjects, with whom he should live properly as a shepherd with his flock? If two lovers, who should pass their time in renewing, repeating, and returning all the offices of friendship, kindness, tenderness, and love, were, instead of that, unluckily contriving always to cross, oppose, and torment one another, what could be the effect of such a conversation, but vexation and anguish in the beginning, a shortlived correspondence, and hatred and contempt in the conclusion?

Our constitution is the main point ever to be regarded; which, God be praised, hath been preserved through so many ages. For though there have been some men often found, and of great parts too, who for their private advantages are aiding, sometimes the monarch, and sometimes the party that would be a common-wealth, under specious pretences for the public good, to exceed the limits the constitution hath prescribed in this country; yet the nation still finds, in all ages, some truly public spirits, that preserve it from being long imposed upon. There is a craft and a perpetual subtilty that men of private interest must work with to support their own designs; but the true interest of the kingdom is the plainest thing in the world; it is what every body in England finds and feels, and knows to be right, and they are not long a finding it neither. This is that interest that is supported *non tam fama, quam sua vi*[1]; its own weight still keeps it steady against all the storms that can be brought to beat upon it, either from the ignorance of strangers to our constitution, or the violence of any, that project to themselves wild notions of appealing to the people out of Parliament, (a Parliament sitting,) as it were to a fourth estate of the realm; and calling upon them to come and take

[1] ['magisque fama quam vi stare res suas.' Tac., *Ann.* vi. 30.]

their share in the direction of the public and most important consultations. This we conceive to be another way of undermining the ancient and true constitution, but not like to be more effectual than some others that have been tried before; since we have the experience that no violence, nor almost ruin, hath hitherto hindered it from settling again upon its old foundation.

There hath been, within the compass of few years, much talk, and, God knows, too many ill effects too, of factions in this kingdom; and we have lived in our days to see the two great parties, of late known by the names of *Whig* and *Tory*, directly change their ground; and those who were formerly the anti-courtiers become as pliant and obsequious as ever they were who had been the most found fault with on that score. But we are humbly of opinion, that, at this time of day, neither of those parties have the game in their hands, as they have formerly perhaps fancied to themselves. But they who shall be so honest and so wise, constantly to prefer the true interest of England to that of any other country or people, preserve the religion and the laws, protect and promote the trade of the nation, thriftily and providently administer the public treasure, and study to maintain the sovereignty of our seas, so naturally, so anciently, and so justly the true defence of this kingdom; that body, whomsoever it shall be composed of, shall have the weight of England on its side; and if there can be any of another frame, they must, in the end, prove so many miserable rotten reeds.

Well may other princes, and states, whose situation requires it for their own security, find it their interest, for the preservation of their credit and reputation amongst their neighbours, to keep constantly in pay great numbers of land forces; in which they are still vying one with the other, and boasting who can raise his thousands, and who his ten thousands: but they will be found but young statesmen for our government, who can think it advisable that the strength of this island should be measured by proportions so unsuitable to its true glory and greatness. As well might David have thought it requisite, when he was to encounter the great giant of the Philistines, that he

likewise must have had a staff to his spear like a weaver's beam. But that *man after God's own heart* thought it more expedient to his advantage over the enemy he was to contend with, to come against him with arms that he had tried, and that he could wield. When Saul armed him with his own armour, *and put an helmet of brass on his head, and armed him with a coat of mail*, David himself says, *he could not go with these, for he had not proved them.* Which makes us a little reflect on the circumstances of our own nation, that, whereas the fleet of England hath been renowned, through so many ages, for the honour and security of this kingdom, in these latter days, by an unaccountable improvidence, our care has been more industriously applied to the raising great numbers of land forces, than in maintaining and supporting the glorious ancient bulwarks of our country; and when we have to do with an enemy whom we so far excel in strength at sea, that, with a little more than ordinary application, we might hope to restrain his exorbitant power by our naval expeditions, we have employed our greatest industry, and a vast expense, to attack him by land in that part, where, by the strength of his numerous garrisons, he must be, for many years at least, invulnerable.

But it is to be hoped the great allies themselves, to whom, we doubt not, the English nation wishes all happiness and prosperity, as being bound up with them in the same interest, will at last be sensible, that this kingdom cannot be useful to the common cause in any other way so much as at sea. The situation of this country adapts it for advantages by sea: the trade of it enables it to go on with a war by sea: and neither of them can long bear a great expense of a war in a foreign land: the experience of former successes at sea makes the nation ever fond of employing its vigour there: and the perpetual jealousy that, some time or other, endeavours may be used, by the increase of land forces, to advance another greatness and another interest, will fix the genius of the nation still to depend on its greatness and its security by sea.

Suadere principi quod oporteat, magni [*multi*] *laboris; assentatio erga principem quemcunque sine affectu peragitur*, was a

saying of Tacitus[1], and one of those that is perpetually verified. For we see, in all times, how compliance and flattery gets the better of honesty and plaindealing. All men indeed love best those that dispute not with them; a misfortune, whilst it is amongst private persons, that is not so much taken notice of; but it becomes remarkable, and grows a public calamity, when this uncomely obsequiousness is practised towards great princes, who are apt to mistake it for duty, and to prefer it before such advice as is really good for their service; at least till the folly and vanity of such proceedings comes to be seen through; and then the reward of their unseasonable courtship frequently overtakes the miserable authors, though the discovery come too late to preserve from ruin the master who hath been deluded.

An eminent poet of our own nation calls this flattery the food of fools: and yet it is a plant so guarded and fenced about, so cherished and preserved in all courts, that it never fails of bringing forth much wretched fruit; and will ever do so, till God Almighty shall send such a discerning spirit into the hearts of princes, as may enable them to distinguish between those that serve to obtain their own ends, and those who have only in their view the true interest and honour of their masters; and to punish, instead of encouraging, those bold corrupters of all right judgment, justice, honesty, and truth.

If at any time it might be hoped this dangerous generation of men should be discountenanced, one might be allowed to look for it in an age when a revolution hath been thought necessary to make a reformation; for where the foundations of the earth were taken to be out of course, more steadiness, a stricter virtue, and a more unblameable administration will be expected to come in the room of it.

If princes would bear it, it would be an advantage to them, as well as happiness to their subjects, to hear plain and bold truths, when delivered with duty and decency and privacy, from their faithful servants, in their own lifetime, whilst they might yet redress, and correct, any mistakes of their judgment or will. But because they generally defend themselves from those ap-

[1] [*Hist.*, i. 15.]

proaches by their greatness, and the awe they usually strike on those that come near them, the next best way to incline them to reflect duly upon themselves is to get them to read the memorials of times past; where they will see how those who have once governed the world are treated when they are dead and gone, and that it is the privilege and practice of all present ages to speak without restraint of those that are past; as, we may be confident, the next that comes after this we live in will not forget to put their stamp, and their censure, on what they shall judge good, or bad, in any part of it. And this truth will be allowed in all times, that a great king, who is known to govern in his own person, who is not managed by his ministers, but does himself give the direction, the life, and determination to all his commands, as he ought to have the glory, and the merit of his conduct and skill, brought to his own account without a rival, so he will have the misfortune of having the errors of his reign, if any there be, imputed likewise to himself.

We have been led, from one step to another, further than the scope of a preface to this History might properly have drawn us, were it not that the observation of the miscarriages in former times, continued down by degrees, as we conceive, from the like mistake, and the like root of animosity and discontent, had engaged us to make some remarks on the most eminent of them, and to lay them together in one view, for every man's calm judgment and animadversion, as the best means, in our opinion, to prevent any such for the future. Which makes us hope the reader will not be offended with some excursions, upon publishing such a work, that hath so much of information and instruction in it, that it must furnish to every one great variety of reflections; and, amongst others, the observation of this particular, and almost continual misfortune to all princes, who are apt to think that, out of the great numbers of their subjects, and the crowd of their courtiers and flatterers, they can never want a supply of just and faithful servants; which makes them so little value, and so often throw away, their best and ablest ministers; whereas there is in truth nothing so difficult for a prince as to find a good, honest, just, well tempered, and im-

partial servant, and almost impossible to preserve him long. For whosoever comes to the yoke of true painful drudgery in his master's service, from that moment creates to himself so many industrious enemies as he cannot gratify in all their several wild pretensions, to displace and destroy him. So that such a man's station must be extreme slippery, and his favour oftentimes shortlived, whose whole time being taken up in promoting the solid greatness of his master, and the good of his country, he cannot have leisure to take care of himself. For whilst he is watching the enemies of the State, and laying foundations for the happiness of future times, as well as for the security of the present, and looking after all the parts of the administration; that the religion of the land may be reverenced; the justice of the nation unblemished; the revenues of the Crown carefully and honestly collected, and distributed with an equal hand of generosity and good husbandry, according to the several occasions that may require either; how can such a minister be watching the secret machinations of the enviers and underminers of his credit and honesty? And therefore he may be forgiven, if, being conscious to himself of his own integrity towards the public, he contemns the little arts of ill designing men; by which however, from the first hour of his entering into the service of his master, he is continually pursued, till he is at length hunted down, and unavoidably destroyed at court.

We do not intend here to write the particulars of the life of this author; but we may say in short, that such a figure as is here described of a great and superior minister, and, in some degree, of a favourite too, this excellent man made, for about two years after the restoration of the King his master, who, during that time, relied entirely on his advice and conduct. There were indeed some other great and wise men, whom the King, for some considerable time, consulted in his weightiest affairs. There was the earl of Southampton, then Lord High Treasurer of England, with whom our author had always an entire and fast friendship, and whom all men, that knew him, honoured for his great abilities and eminent integrity. There was the duke of Albemarle, then Lord General, who had the

honour and good fortune of bringing most things and men at that time to bear together, for the restoration of that King and the royal family to the seat of their ancestors. There was the then marquis of Ormond, soon after his majesty's return made Lord Steward of the household, and Lord Lieutenant of Ireland; who had, not only followed, but even graced his master's fortunes, in all the time of his exile, with the attendance of so eminent and meritorious a subject; who had often ventured his person, and lost all his large estate in the steady pursuit of loyalty and duty to the Crown, and zeal for the true religion. There was the earl of Sandwich, who had, when admiral, and general at sea, to his share the glorious part of bringing the fleet of England, and the body of the English seamen, to concur in the King's restoration; and had, before that time, been very meritorious towards his majesty, as is mentioned at large in the ensuing parts of this History. These were the principal; and besides these, there was one more, who, though in a different rank, was admitted at that time into the most intimate trust and confidence, old Secretary Nicholas; who had served his two masters, King Charles the First and Second, with so much faithfulness and integrity, as to be justly entitled to a part in the most important administration. But, without the least design of detracting from the credit or interest of these great and honourable persons, we may truly say, our author had the preference of them all in the King's favour and esteem; and by his prudence, knowledge, and experience, in which he shared with the others, and his indefatigable labour and pains, wherein it is most certain they did not share with him, he had the happiness, without their envy, and with their concurrence, to have the greatest share in disposing the minds of the people, and the King too, to agree then on such measures in Parliament, as laid the foundation of that peace, plenty, and prosperity this nation hath enjoyed since.

He had the happiness to have the greatest share in preserving the constitution of our government entire, when the then present temper of the people was but too ready to have gone into any undue compliance with the Crown.

He had the happiness, amongst several other good Acts of Parliament, to have the greatest share in compassing and perfecting the Act of Oblivion and Indemnity; the Act for confirming judicial proceedings; and the Act of Uniformity; by which the people of England were quieted in their minds, and settled in their possessions; and the Church of England redeemed from the oppressions it had lain under, and established and set up by the law of the land, as it was also by our blessed Saviour's promise to all those that serve Him in holiness and truth, on that Rock against which the gates of hell were not to prevail. This is that Church which desires to have her doctrine understood as well as obeyed; and which depends on the infallibility of Scripture for her guide, but never could be drawn to allow it to any mortal men, whether in a single person or a greater number, and which, of all the Churches in the world, does most rationally inform her members in the practice of pure religion and undefiled towards God, with decency in worship, without affectation, superstition, or ostentation; and obedience to the king, with due regard to the constitution and the laws of the land. By God's blessing on these means our author had the happiness to leave lasting monuments of his judgment and his piety, of his loyalty to his prince, and his entire love to his country.

It was during the ministry of this person, and whilst he was in his greatest credit, that memorable expression was used in one of King Charles the Second's speeches to both Houses; That, in all his deliberations and actions, his principal consideration should be, What will a Parliament think of them[1]?

Every body then knew by whose advice that King was inclined to make that wise declaration. And certainly it had been happy for him if he had always practised it; and all England hath reason to wish, that all ministers had continued to this day to give the like wholesome counsel.

Hæ tibi erunt artes[2],

said our author, to a King of England: Keep always well

[1] [29 Dec. 1660. *Parliamentary Hist.*, xxiii. 89.]
[2] [Virg., *Æn.* vi. 852.]

with your Parliaments. Let no vain whimsey of the example of other countries, but utterly impracticable in this, delude you. Keep always in the true interest of the nation; and a king of England is the greatest and happiest prince in the world.

How this person came first to lessen in his credit, and afterwards, in the space of about five years, to fall quite out of that King's favour, to be disgraced, as the language at Court is, and banished, must be a little touched; and we shall make an end. They who were then most concerned in his misfortunes, and felt the most sensible strokes of his majesty's displeasure in their family, have it not in their hearts to lay any thing hard at the door of that King, once a most gracious and indulgent master to our author, and who was certainly not of a disposition to do harsh things to any body; and who, as we have reason to believe, out of the sense of unkind usage to the father, did afterwards, by his own singular goodness and favour, much against the mind of some in credit with him, draw his two sons, who yet survive, into a very great degree of trust and confidence near him; and particularly bestowed on the second extraordinary marks of honour and bounty, that are to descend to his posterity[1].

We take them both to be men of so much piety to their father, and so much spirit in themselves, that they would by no means be bribed to omit any thing upon this occasion that might be of use or advantage to the honour of one they owe so much duty to, if they could conceive that there was need at this time of day to contribute to the justification of his innocency. The world hath lasted long enough, since the misfortunes of this honourable person, to be throughly convinced that there was nothing in all those articles exhibited against him in Parliament that did in the least touch or concern him. One of his sons, then of the House of Commons, offered in that House, that if they who accused him would but take the pains to prove to the House any one of the articles, and take which they would,

[1] [Laurence, created baron Hyde of Kenilworth 23 Apr. 1681, and earl of Rochester, 29 Nov. 1682.]

if they made out but any one of them all, himself, and all his friends, would acknowledge him guilty of all [1].

But there is no need now of the vindication of such a man, whom every body, in their consciences, do not only acquit of any crime, but all good men speak of with honour; and who still lives in the opinion of all true English men in as high a reputation as any man to this day.

Yet, although we intend to decline all manner of reflection on the memory of that King, we may be allowed to say, that that excellently well natured prince, who did very few ill natured things in his reign, was prevailed upon, in this case, not only to put out of his service one of the most faithful and ancient servants then alive to his father, or himself, (which is not to be so much complained of; for it would be a hard tie indeed for a prince to be, as it were, married to his servants for better, for worse,) but to consent to an Act of Parliament, that obliged this his poor servant to end his days in banishment, with old age and infirmities to attend him: this might be thought a little hard hearted to inflict upon a man who had the honour and happiness, in the more vigorous part of his life, to have led the King himself through his own exile, with credit and dignity, and in more honour and reputation than usually attends unfortunate princes that are deprived of their own dominions; and at last, in the fulness of God's own time, had the happiness to have so considerable a share in the conduct of his restoration. For it was by this author, principally, that the continual correspondence was kept up with the loyal party in England, in order to cultivate good thoughts of his majesty in the minds of his people, and to bring them, in some sort, acquainted with his temper and disposition, before they could know his person. This author likewise framed, disposed, and drew those letters and declarations from Breda, which had so wonderful an effect all over England, and were so generally approved here, that they were, almost all, turned into Acts of Parliament.

[1] [Laurence, afterwards earl of Rochester, on 26 Oct. 1667. [Chandler's] *Hist. of the House of Commons from the Restoration*, i. 105.]

Many perhaps may not unreasonably believe, that the marriage of the then duke of York with the daughter of this author might have been one great occasion, if not the foundation, of his fall; and though it be most undoubtedly true, that this very unequal alliance was brought to pass entirely without the knowledge or privity of this author, but so much the contrary, that when the King, at that time, made him more than ordinary expressions of his grace to him, with assurances that this accident should not lessen the esteem and favour his majesty had for him; yet his own good judgment made him immediately sensible, and declare it too, to those he was intimate with, that this must certainly be the occasion of the diminution of his credit.

The continual dropping of water does not more infallibly make an hollow in a stone, than the perpetual whispers of ill men must make impression in the heart of any prince, that will always lie open to hear them; nor can any man's mind be sufficiently guarded from the influence of continued calumny and back-biting.

When the duke of York had made this marriage, it was not unnatural to those ill-minded men to suggest, that, for the time to come, that minister would be contriving advantages for the good of his own posterity, to the prejudice of his sovereign and master. What their wickedness, possibly, would have allowed them to practise, was ground enough to them for an accusation of his innocency.

It was true that the duke of York was become the Chancellor's son-in-law; and therefore they hoped to be believed, when they said, that to satisfy his ambition, he would forfeit his integrity; which, God knows, was not true.

Thus what Tacitus observes, in the time of Tiberius, of Granius Marcellus, who was informed against to have spoken ill words of that emperor, was here, in some sort, verified on our author:

Inevitabile crimen, says Tacitus concerning those words, *nam, quia vera erant, etiam dicta credebantur*[1].

[1] [*Ann.* i. 74.]

The alliance was undeniable; there were children born of it; and the King was not blessed with any from his marriage. An inevitable crime laid on our author. For, because it was true that there were children from one marriage and not from the other, it was suggested that both marriages had been so contrived by the Chancellor: though the King knew very well that his own marriage had not been first projected or proposed by this author, and that he had often told his majesty what suspicions there were in the world that that great and virtuous princess might prove unfruitful.

Another inevitable misfortune, which was then laid as a crime too on our author, was a report very falsely, but very industriously, spread abroad, that first begat a coldness, and, by degrees, very much disinclined a great many of the royal party to him; a report, that he should have instilled into the King's mind a principle, that he must prefer his enemies, and advance them, to gain them to be his friends; and for his old friends, it was no matter how he used them, for they would be so still. To which very scandalous misrepresentation we must give this true answer:

It fell out indeed, that every man's expectation, that had laboured all the heat of the day in the vineyard, who had received wounds in their persons in the day of battle, or suffered in their fortunes or liberties, for the preservation of a good conscience during the usurpation of tyranny and anarchy, was not, and, alas! could not be, recompensed immediately according to their merit, or the hopes they had entertained: and because it was true that they were disappointed, it was believed by some of them, that our author, being minister at that time, had instilled this damnable doctrine and position, that it was no matter how the King used his old friends: and because it was true that they were not considered as they deserved, it must be believed, as they would have it, that he was the author of that advice.

It was true that the King, who was so wonderfully restored with all that glory and peace, more perhaps upon the confidence of his declarations and promises from Breda than any other

human means, and who had thought it necessary to recommend, in his most gracious speech to both Houses, upon the passing the Act of Indemnity, that all marks of distinction and division amongst his subjects should be for ever buried and forgotten [1], did not think it for his honour and true interest to reign over a part only of his subjects; and therefore, immediately after his restoration, in order to the settlement of his court and family, the then earl of Manchester, whose part every body remembered to have been very eminent, in the time of the rebellion, against King Charles the First, but who had industriously applied himself several years to the King, to make reparation for his former errors, and had been considerably serviceable to him in several occasions, was honoured with the office of Lord Chamberlain of the household; to let the kingdom see, how the King himself began with practising what he exhorted his subjects to, that admirable art of forgetfulness, when he put such a person into so eminent a station in the government, near his own person. And it was certainly of advantage to the King, in the beginning of his settlement here, as well as a mark of justice in his nature, to let his subjects know and feel, that every one of them might capacitate himself, by his future behaviour, for any dignity and preferment.

But it could never be in the heart of a man, who had been all along on the suffering side, to do his own party so base an office with the King as this false report did insinuate. He might be of opinion that the fatted calf was to be killed for the entertainment of the prodigal son, whenever he returned; that there might be no distinction of parties kept up amongst us; but he could never forget the birthright of the eldest son, who had served the King so many years, and had not at any time transgressed his commandment, and so well deserved that praise and that reward, *Son, thou art ever with me, and all that I have is thine.* And yet this calumny, false as it was, was another inevitable crime, or at least misfortune. For without that

[1] [Not on passing the Act on 29 Aug. 1660, but on recommending its speedy enactment in a speech to the House of Lords on 27 July. *Parliamentary Hist.*, xxii. 397.]

opinion, which some of the royal party had sucked in, that the Chancellor had abandoned their interest, it had been impossible to have engaged a majority in that Parliament to have consented to that Act of banishment.

God forgive the inventors and contrivers of that foul calumny! But, by His almighty providence, who from heaven reveals secrets, it was not long before that party was disabused. For, though the Chancellor for some time bore the blame, that they had not been more considered, it was quickly found, that it was not from him, but from the mistaken politics of the new statesmen, that they were designed to be neglected. Nor did they at all find themselves more taken notice of after his removal; nor have the several other parties in the kingdom, that have been cherished and countenanced in opposition to this, much declined, as we conceive, to this day.

But after all, we are humbly of opinion, that it was neither of these above-mentioned unavoidable misfortunes, nor both together, that gave the fatal and last decisive blow to the fortune of this good man. The King had too good a judgment, and was too well natured, to have been imposed upon barely by such attacks as these; which he knew very well himself, as to our author's guilt in them, were frivolous and unjust.

But there are always in courts secret engines, that actually consummate the mischiefs, that others, in a more public way, have been long in bringing to pass: and in this case there were two principal ones:

The one, the interest of some of the zealots of the Popish party, who knew this minister had too much credit in the nation, though he should lose it with the King, to suffer the projects they perpetually had, of propagating their religion, to take effect, whilst he should be in the kingdom:

The other, the faction of the ladies, too prevalent at that time with the King, who were afraid of such a man's being near him as durst to talk to him, as he had several times taken the liberty to do, of the scandal of their lives, and reprove both the master and the mistresses, for their public unlawful conversations.

Thus these two interests, joining their forces, were so powerful, that there was no resisting them by a man who could not make court to either. And so he fell a sacrifice to the ambition and malice of all sorts of enemies, who were desirous of getting new places to themselves in the Court, and of trying new inventions in the State.

And yet it is to be observed, that that King, who was, almost all his reign, ever labouring with much pains to get a little ease, which he might perhaps have attained with less trouble, and, no doubt, hoped, by getting rid of this old importunate counsellor, to terrify any man from presuming afterwards to tell him such bold truths, had scarce ever after any serenity in his whole reign: but those very women, or others in their places, and the factions he himself had given countenance to, grew too hard for him, and tore him almost to pieces, sometimes in the favouring of one party and sometimes of another, without steadiness of his own, or confidence enough in any of his servants, to guide him through those perplexities, that could not have been brought upon him but by his own consent.

We dare say, there were some hours in his life that he wished he had had his old Chancellor again; who, he knew, was a more skilful pilot than any of his new statesmen:

> (—*Tempus erit, magno cum optaverit emptum*
> *Intactum*[1])

and that he had not, by his too much eagerness to get rid of one old servant, given too great an handle to have new measures and new counsels so often imposed upon him throughout the whole remaining part of his life.

Thus we have finished our Preface, which we thought incumbent on us to make, who had lived to be acquainted with this author, and to have known his merit, that it might attend the publishing this History, to give the present age some information of the character of him they are to read. And as we

[1] [Virg., *Æn.* x. 503-4.]

desired to perform it with respect to his memory, so, we hope, we have not exceeded the bounds of truth and modesty, which he himself would have taken unkindly from those that are doing this office to him. Whatever misfortunes he might have in his life; whatever enemies he might have had; or whatever errors he might have committed, (which few men in his high stations escape quite clear of,) we presume to think he deserves, from all impartial men, the praise of an honest, just, and able servant to the Church and Crown, and to be ranked amongst the great and good Ministers of State.

And now we will conclude all, with a thanksgiving to God in Saint Luke, *Glory be to God on high, and on earth peace, good-will, towards men.*

For God's name ought ever to be glorified in all His dispensations, whether they be attended with the prosperities or adversities of this present world. We speak it knowingly, that our noble author did so throughout the course of his misfortunes, and that he did adore and magnify God's holy name for all His mercies so plentifully bestowed upon him; and particularly for giving him the courage and virtue constantly to act and suffer honourably through all the considerable employments of his life; and, more especially, to endeavour to keep things even between the King and the people, (the everlasting labour of a faithful servant,) rather than advance his own favour, by unreasonably advancing the prerogative on the one hand, or his credit, by courting the popular interest on the other; which we heartily wish all men, in the highest authority under a king of England, may ever remember to practise.

And whoever are acquainted with the sons of this noble author must do them this justice to own, they have often declared, that they have found themselves as well the better Christians as the better men for the afflicted, as well as prosperous, parts of their father's life, which hath taught them to be the less surprised with the various turns they have met with in the course of their own. With Saint Paul, they *have learnt to know how to be exalted, and how to be abased.* This as Christians:

and with Horace, who attributes more to Fortune, they have learnt to have always in their minds,

Laudo manentem : si celeres quatit
Pennas, resigno quæ dedit [1].

And having thus glorified God on high, that they may do all in them lies towards promoting peace on earth, they do very heartily declare and profess good-will towards all men; and bear no unkindness to any that were the contrivers of the undeserved misfortunes of their noble father.

[1] [*Od.* III. xxix. 53-4.]

DEDICATION

PREFIXED TO

VOL. II. OF THE FIRST EDITION,

PUBLISHED IN 1703.

TO THE QUEEN.

MADAM,

To your majesty is most humbly dedicated this second part of the *History of the Rebellion and Civil Wars*, written by Edward earl of Clarendon. For to whom so naturally can the works of this author, treating of the times of your royal grandfather, be addressed, as to yourself; now wearing, with lustre and glory, that crown, which, in those unhappy days, was treated with so much contempt and barbarity, and laid low even to the dust?

This second part comes with the greater confidence into your presence, by the advantage of the favourable reception the first hath met with in the world; since it is not to be doubted, but the same truth, fairness, and impartiality, that will be found throughout the whole thread of the History, will meet with the same candour from all equal judges.

'Tis true, some few persons, whose ancestors are here found not to have had that part during their lives which would have been more agreeable to the wishes of their surviving posterity, have been offended at some particulars mentioned in this History concerning so near relations, and would have them pass for mistaken informations. But it is to be hoped that such a concern of kindred for their families, though not blameable in them, will rather appear partial on their side; since it cannot be doubted but this author must have had his materials from undeniable and unexceptionable hands, and could have no temptation to insert any thing but the truth in a work of this nature, which was designed to remain to posterity, as a faithful record of things and persons in those times, and of his own unquestionable sincerity in the representation of them.

In this assurance it is humbly hoped it will not be unprofitable to your majesty to be here informed of the fatal and undeserved misfortunes of one of your ancestors, with the particular and sad occasions of them; the better to direct your royal person through the continual uncertainties of the greatness of this world. And as your majesty cannot have a better guide, throughout the whole course of your reign, for the good administration of your government, than history in general, so there cannot be a more useful one to your majesty than this of your own kingdoms; and it is presumed, without lying under the imputation of misleading your majesty, it may be asserted that no author could have been better instructed, and have known more of the times and matters of which he writes, than this who is here presented to you.

Your majesty may depend upon his relations to be true in fact; and you will find his observations just; his reflections made with judgment and weight; and his advices given upon wise and honest principles; not capable of being now interpreted as subservient to any ambition or interest of his own; and having now outlived the prejudices and partialities of the times in which they were written. And your majesty thus elevated, as by God's blessing you are, from whom a great many truths may be industriously concealed, and on whom a great many wrong notions under false colours may with equal care be obtruded, will have the greater advantage from this faithful remembrancer.

This author, once a privy counsellor and minister to two great Kings, and, in a good degree, favourite to one of them, hath some pretence to be admitted into your majesty's council too, and may become capable of doing you service also; whilst the accounts he gives of times past come seasonably to guide you through the times present and those to come.

This History may lie upon your table unenvied, and your majesty may pass hours and days in the perusal of it, when possibly they who shall be the most useful in your service may be reflected on for aiming too much at influencing your actions and engrossing your time.

From this History your majesty may come to know more of the nature and temper of your own people than hath yet been observed by any other hand. Neither can any living conversation lay before your majesty in one view so many transactions necessary for your observation. And seeing no prince can be endued in a moment with a perfect experience in the conduct of affairs, whatever knowledge may be useful to your majesty's government, if it may have been concealed from you in the circumstances of your private life, in this History it may be the

most effectually supplied; where your majesty will find the true constitution of your government, both in Church and State, plainly laid before you, as well as the mistakes that were committed in the management of both.

Here your majesty will see how both those interests are inseparable, and ought to be preserved so, and how fatal it hath proved to both, whenever, by the artifice and malice of wicked and self-designing men, they have happened to be divided. And though your majesty will see here, how a great King lost his kingdoms, and at last his life, in the defence of this Church, you will discern, too, that it was by men who were no better friends to monarchy than to true religion that his calamities were brought upon him; and as it was the method of those men to take exceptions first to the ceremonies and outward order of the Church, that they might attack her the more surely in her very being and foundation, so they could not destroy the State, which they chiefly designed, till they had first overturned the Church. And a truth it is which cannot be controverted, that the Monarchy of England is not now capable of being supported but upon the principles of the Church of England; from whence it will be very natural to conclude, that the preserving them both firmly united together is the likeliest way for your majesty to reign happily over your subjects.

The religion by law established is such a vital part of the government, so constantly woven and mixed into every branch of it, that generally men look upon it as a good part of their property too; since that, and the government of the Church, is secured to them by the same provision. So that it seems that, next to treason against your sacred person, an invasion upon the Church ought to be watched and prevented by those who have the honour to be trusted in the public administration, with the strictest care and diligence, as the best way to preserve your person and government in their just dignity and authority.

Amongst all the observations that may be made out of this History, there seems none more melancholic, than that, after so much misery and desolation brought upon these kingdoms by that unnatural Civil War, which hath yet left so many deep and lamentable marks of its rage and fury, there have hitherto appeared so few signs of repentance and reformation.

Some persons will see they are designed to be excepted out of this remark, whose conduct hath happily made amends for the mistakes of their ancestors, and whose practice in the stations they are now in does sufficiently distinguish them. Happy were it for the nation, had all the rest thought fit to follow so good

examples, and that either Acts of Indemnity and Oblivion, or Acts of Grace and Favour, or employments of authority, riches, and honour, had hitherto been able to recover many of them to the temper of good subjects. The truth of this observation is set forth by this author in so lively a manner, that one hath frequent occasions to look on him as a prophet as well as an historian, in several particulars mentioned in this book.

That this remark may not look froward or angry, with great submission to your majesty, it may be considered, what can be the meaning of the several seminaries, and as it were universities, set up in divers parts of the kingdom, by more than ordinary industry, contrary to law, supported by large contributions; where the youth is bred up in principles directly contrary to monarchical and episcopal government? What can be the meaning of the constant solemnizing by some men the anniversary of that dismal Thirtieth of January, in scandalous and opprobrious feasting and jesting, which the law of the land hath commanded to be perpetually observed in fasting and humiliation? If no sober man can say any thing in the defence of such actions, so destructive to the very essence of the government, and yet impossible to be conducted without much consultation and advice, it is hoped this reflection will not be thought to have proceeded from an uncharitable and ill-natured spirit, but from a dutiful and tender regard to the good of the nation and the prosperity of your majesty's reign.

In the mean time, whether this does not look like an industrious propagation of the rebellious principles of the last age, and on that score render it necessary that your majesty should have an eye toward such unaccountable proceedings, is humbly submitted to your majesty; who will make a better judgment upon the whole than any others can suggest to you: you have a greater interest to do it; you have much more to preserve, and much more to lose; you have the happiness of your kingdoms, your crown, and your government to secure, in a time of as great difficulties as ever were yet known, under a very expensive war at present, and some circumstances attending it in relation to these nations that may continue even after a peace; besides the danger of a future separation of the two kingdoms, very uncomfortable to reflect on; which yet, in all probability, will have influence upon the present times too, if it comes once to be thought that it is inevitable.

God give your majesty a safe and prosperous passage through so many appearances of hazard; you can never want undertakers of divers sorts, who, according to their several politics, will warrant you success if you will trust 'em: but your real happiness

will very much depend upon yourself, and your choosing to honour with your service such persons as are honest, stout, and wise.

If informations of times past may be useful, this author will deserve a share of credit with you, whose reputation and experience were so great in his lifetime, that they will be recorded in times to come for the real services he did, besides the honour, and great fortune, unusual to a subject, of having been grandfather to two great Queens, your royal sister and yourself; both so well beloved, and esteemed by your people; both so willing and zealous to do good. Her power indeed was more limited and dependent; but her early death made room for your majesty's more unrestrained and sovereign authority, and resigned to yourself alone the more lasting dispensation of those blessings that came from Heaven to you both.

If the benefit your majesty may reap by the perusal of this History shall prove serviceable to aftertimes, it will be remembered to the praise and honour of his name; and your majesty yourself will not be displeased to allow his memory a share of that advantage; nor be offended with being put in mind, that your *English* heart, so happily owned by yourself, and adored by your subjects, had not been so *entirely English*, without a communication with his heart too, than which there never was one more devoted to the good of his country and the firm establishment of the Crown.

It being designed by this Dedication only to introduce this noble author into your presence, it would be contrary to the intention of it to take up more of your majesty's time here; it is best therefore to leave this faithful counsellor alone with you. For God's sake, Madam, and your own, be pleased to read him with attention, and serious and frequent reflections; and from thence, in conjunction with your own heart, prescribe to yourself the methods of true and lasting greatness, and the solid maxims of a sovereign truly *English*: that during this life you may exceed in felicities and fame, and after this life in reputation and esteem, that glorious predecessor of your majesty's, the renowned first *Semper Eadem*, whose motto you have chosen, and whose pattern you seem to have taken for your great example, to your own immortal glory, and the defence, security, and prosperity of the kingdoms you govern.

And God grant you may do so long.

DEDICATION

PREFIXED TO

VOL. III. OF THE FIRST EDITION,

PUBLISHED IN 1704.

TO THE QUEEN.

MADAM,

WITH all duty and submission comes into the world the last part of this History under your majesty's protection; a just tribute to your majesty, as well on the account of the memory of the author, so long engaged, and so usefully, in the service of the Crown, as of the work itself, so worthily memorable for the great subject he treats of; and so instructive, by his noble way of treating it.

This work, now it is completely published, relates the transactions of near twenty years; hardly to be paralleled in any other time, or place, for the wonderful turns and passages in it. In this space of time, your majesty sees your own country at the highest pitch of happiness and prosperity, and the lowest degree of adversity and misery. So that, when a man carries his thoughts and his memory over all the occurrences of those times, he seems to be under the power of some enchantment, and to dream, rather than read, the relations of so many surprising revolutions. The peace and the plenty of this kingdom, and, in so short a space of time, the bloody desolation of it by a most wicked rebellion, the ruin of so many noble and great families, and the devastation of their estates, and, after this, the restitution of all things *as at the beginning*, is hardly credible at this time, even so soon after all these things came to pass.

When your majesty sees one of your royal ancestors, the first who lived to reign as heir to the two crowns of Great Britain united, and, on that account, higher in reputation, honour, and

power, than any of his predecessors, brought, by unaccountable administrations on the one hand, and by vile contrivances on the other, into the greatest difficulties and distresses throughout all his kingdoms; then left and abandoned by most of his servants, whom he had himself raised to the greatest honours and preferments; thus reduced to have scarce one faithful able counsellor about him, to whom he could *breathe his conscience and complaints*, and from whom he might expect one honest, sound, disinteressed advice: after this, how he was obliged to take up arms, and to contend with his own subjects in the field for his crown, the laws, his liberty, and life; there meeting with unequal fortune, how he was driven from one part of the kingdom, and from one body of an army to another, till at last he was brought under the power of cruel and merciless men, imprisoned, arraigned, condemned, and executed like a common malefactor: and after this still, when your majesty sees his enemies triumphing for a time in their own guilt, and ruling over their fellows, and first companions in wickedness, with successful insolence, till these very men, by force, and fraud, and sundry artifices, still getting the better of one another, brought all government into such confusion and anarchy, that no one of them could subsist; and how then, by God's providence, the heir of the royal martyr was invited and brought home by the generality of the people, and their representatives, to return, and take on him the government, in as full an exercise of it as any of his predecessors had ever enjoyed; not subject to any of those treaties, or conditions, which had been so often offered by his father to the men then in credit and power, and, in their pride and fury, had been as often rejected by them: when your majesty sees before you all this begun, and carried on in violence and war, and concluded in a peaceful Restoration, within the space of twenty years, by English men alone among themselves, without the intervention of any foreign power; many of the same hands joining in the recovery and settlement, as they had done before in the destruction of their country; your majesty will certainly say,

This was the Lord's doing, and it must ever be marvellous in our eyes.

An account of this great work of God coming to be published in your majesty's time, it is humbly conceived not improper to congratulate your good fortune, that, in the beginning of your reign, such a history of the greatest matters, passed within your own dominions, comes to light; as well for the necessity there may be, after above forty years run out in a very unsettled and various management of the public affairs, to put men in mind again of those mischiefs under which so many great men fell on both sides,

as in hopes, that on your majesty's account, and for the glory of your name, whom your people have universally received with joy, this generation may be inclined to let these fresh examples of good and evil sink into their minds, and make the deeper impression in them to follow the one and avoid the other.

From the year 1660 to very near 1685, which was the time of King Charles the Second's reign here in England, it must needs be owned, that, with all the very good understanding and excellent good nature of that King, there was a great mixture of counsels, and great vicissitudes of good and bad events, almost throughout that space of time attending his government. They seem indeed to be somewhat like the four seasons of the year; of which three quarters are generally fair, hopeful, flourishing, and gay; but there come as constantly severe winters, that freeze, wither, destroy, and cut off many hopeful plants and expectations of things to come.

It must be owned too, since it can never be concealed, that, from the beginning of the Restoration, there was certainly not such a return to God Almighty for the wonderful blessings He had poured out with so liberal a hand, as, no doubt, was due to the great Author and Giver of all that happiness; neither was there such a prudence in the administration, or such a steadiness in the conduct of affairs, as the fresh experience of the foregone misfortunes might well have forewarned those that were intrusted in it to have pursued with courage and constancy. It is but too notorious there was great forgetfulness of God, as well as manifest mistakes towards the world; which quickly brought forth fruits meet for such undutifulness and ill conduct.

The next four years after that reign were attended with more fatal miscarriages; over which it may be more decent to draw a veil, than to enter into a particular enumeration of them. Many great princes have been led unawares into irrecoverable errors, and the greater they are, so many more particular persons are usually involved in the calamity.

What followed after this time till your majesty's most happy coming to the throne, is so fresh in the memory of all men yet living, that every one will be best able to make his own observations upon it. Such deliverances have their pangs in the birth, that much weaken the constitution, in endeavouring to preserve and amend it.

And now your majesty, who succeeds to a Revolution as well as a Restoration, has the advantage of a retrospect on all these accidents, and the benefit of reviewing all the failings in those times: and whatsoever was wanting, at those opportunities of amending

past errors, in the management of affairs, for the better establishment of the Crown, and the security of the true old English government, it will be your majesty's happiness to supply in your time: a time in some sort resembling the auspicious beginning of King Charles the Second's Restoration; for in that time, as now in your majesty's, the people of this kingdom ran cheerfully into obedience; the chiefest offenders lay quiet under a sense of their own crimes, and an apprehension of the reward justly due to them; and all your subjects went out to meet your majesty with duty, and most with love.

Comparisons of times may be as odious as that of persons; and therefore no more shall be said here on that subject, than that since the Restoration, and some few years after it, given up to joy and the forgetfulness of past miseries, there hath been no time that brought so much hope of quiet, and so general a satisfaction to these kingdoms, as that on which we saw your majesty so happily seated upon the throne of your ancestors. Among all the signs of greatness and glory in a prince's reign, there is none more really advantageous, none more comfortable, than that which Virgil remarks as a felicity in the time of Augustus,[1]

When abroad the sovereign is prosperous, and at home does govern subjects willing to obey:

when it is not fear that drives and compels them, but affection and loving-kindness that draws them, to their duty; and makes them rejoice under the laws by which they are governed. Such was certainly the time of your majesty's first entrance; and such God grant it may be ever.

The two first volumes of this History have laid before your majesty the original causes and the foundations of the Rebellion and Civil War; the contrivances, designs, and consultations in it; and the miserable events of it; and seemed to have finished the whole war, when the author, at the very end of the ninth book, says, that *from that time there remained no possibility for the King to draw any more troops together in the field.* And when there's an end of action in the field, the inquiries into the consequences afterwards are usually less warm.

But it happens in the course of this History that several new scenes of new wars, and the events of them, are opened in this volume; which, it is hoped, will prove exceeding useful, even in those parts, where, by reason of the sadness of the subject, it cannot be delightful, and, in all other parts of it, both useful and delightful.

Your majesty especially, who must have your heart perpetually intent to see what followed in the close of all those wars, and

[1] [*Georgic*, iv. 560–2.]

by what means and methods the loss of all that noble and innocent blood, and particularly that portion of the royal stream then spilt, was recompensed upon their heads who were the wicked contrivers of the parricide, and how at last the miseries of these nations, and the sufferings of your royal family, were all recovered by God Almighty's own unerring hand, will, no doubt, be more agreeably entertained in this volume with the relation of the secret steps of the return of God's mercy, than when He still seemed openly to have forsaken His own oppressed cause; wherein so much of what was dearest to yourself was so highly concerned.

Of the transactions within these kingdoms, soon after the war was ended, especially just before and after the barbarous murder of the blessed King, this author could have but short and imperfect informations abroad. It cannot therefore justly be expected, that he should be so full, or minute, in many circumstances relating to the actions and consultations of that party here at home, as are to be found in some other writers, whose business it was to intend only such matters.

One thing indeed were very much to be wished, that he had given the world a more distinct and particular narrative of that pious King's last most magnanimous sufferings in his imprisonments, trial, and death. But it seems the remembrance of all those deplorable passages was so grievous, and insupportable to the writer's mind, that he abhorred the dwelling long upon them, and chose rather to contract the whole black tragedy within too narrow a compass. But this is a loss that can only now be lamented, not repaired.

But when the History brings your majesty to what the noble writer esteemed one of his principal businesses in this volume, to attend King Charles the Second, and his two royal brothers, throughout all their wanderings, which take up a considerable share of it, and are most accurately and knowingly described by him, as having been a constant witness of most of them, it is presumed, this part may give your majesty equal satisfaction to any that is gone before it. It will not be unpleasant to your majesty, since you have known so well the happy conclusion of it, to see the banished King under his long adverse fortune, and how many years of trouble and distress he patiently waited God Almighty's appointed time, for his redemption from that captivity.

In that disconsolate time of distress and lowness of his fortune, your majesty will find cause to observe, that there were factions even then in his little Court beyond sea; so inseparable are such

undecent and unchristian contentions from all communities of men; they are like *tares sown by an enemy amongst the wheat, whilst good men sleep.*

Upon the subject of the factions in those days, there is a particular passage in this History, of two parties in that Court abroad, who thought it worth their while, even then, to be very industrious in prosecuting this author with unjust and false accusations. And the author himself observes, that, howsoever those parties seemed, on most other accounts, incompatible the one with the other, they were very heartily united in endeavouring to compass his destruction; and for no other reason, that ever appeared, but his being an unwearied assertor of the Church of England's cause, and a constant friend and servant to the true interest of it; to which either of them was really more irreconcilable than they were to each other, whatsoever they pretended.

This passage seems to deserve a particular reflection, because, within few years after that King's restoration, some of both those parties joined again in attacking this noble author, and accusing him anew of the very same pretended crimes they had objected to him abroad; where there had been so much malice shewed on one side, and so much natural and irresistible innocency appeared on the other, that one would have thought, no arrow out of the same quiver could have been enough envenomed to have hurt so faithful, so constant, and so tried a servant to the Church and Crown.

This particular, and another, wherein your majesty will find what advice this author gave his royal master, upon the occasion of his being much pressed to go to church to Charenton[1], and how some intrigues and snares, cunningly laid on one side, were very plainly and boldly withstood on the other by this author, will let the world see why this man was by any means to be removed, if his adversaries could effect it, as one that was perpetually crossing their mischievous designs, by an habitual course of adhering unmovably to the interest of this Church and nation.

[1] [Extracts from a letter written by Clarendon in his exile with respect to the Charenton case are printed in Dr. G. Hickes' preface to *The divine right of episcopacy asserted*, 8vo. Lond. 1705. The original letter from his son Henry to Hickes, forwarding his father's letter, and authorizing him to use it in this preface, dated Oct. 22, 1707, has been bought by the Bodleian Library in June of the present year. In this letter (written with special reference to De La Mothe's *Entretiens sur la correspondance fraternelle de l'Eglise Anglicaine*, etc.), the writer mentions 'the endeavours that had bin used to gett K. Charles to goe to the Temple at Charenton in the time of his exile, and how much my Lord Clarendon opposed it, as in truth he did, and always valued himselfe for having soe done.']

In the progress of this book, your majesty will also find some very near that King whilst he was abroad, endeavouring to take advantage of the forlorn and desperate circumstances of his fortune, to persuade him, that the party who had fought for his father was an insignificant, a despicable, and undone number of men; and on this account putting him on the thoughts of marrying some Roman Catholic lady, who might engage those of that religion, both at home and abroad, in his majesty's interest; others at the same time, with equal importunity, recommending the power of the Presbyterians, as most able to do him service, and bring him home.

This noble author all this while persisted, in the integrity of his soul, to use that credit his faithfulness and truth had gained him, to convince the King, that foreign force was a strength not desirable for him to depend on, and, if it were suspected to be on the interest of Popery, of all things most likely to prevent and disappoint his restoration; that for his own subjects, none of them were to be neglected; his arms ought to be stretched out to receive them all; but the old royal party was that his majesty should chiefly rely on, both to assist him in his return, and afterwards to establish his government.

This noble author had been a watchful observer of all that had passed in the time of the troubles; and had the opportunity to have seen the actions, and penetrated, in a good measure, into the consultations of those days, and was no ill judge of the temper and nature of mankind; and he, it seems, could not be of opinion, but that they who had ventured all for the father would be the truest and firmest friends to the son.

Whether this grew up in him to be his judgment, from his observation of the rules of nature, and a general practice in all wise men to depend most on the service and affection of those who had been steady to them in their distresses; or whether a luke-warm trimming indifferency, though sometimes dignified with the character of politics, did not suit with his plain dealing, it is certain, he never could advise a prince to hold a conduct that should grieve and disoblige his old friends, in hope of getting new ones, and make all his old enemies rejoice. But, however his malicious prosecutors afterwards scandalized him, as being the author of such counsels, and objected to him what was their own advice and practice, he really thought this kind of conduct weakened the hands, and tended to the subversion of any government. And the success has approved this judgment; for in the very inconstant and variable administration under that King, it was found by experience, and to this day the memorials of it are

extant, that he had quiet and calm days, or more rough and boisterous weather, as he favoured or discountenanced his own *party*; called indeed a *party* by the enemies of it, upon a levelling principle of allowing no distinctions; though all who have contended against it were properly but *parties*; whilst that was then, and is still, on the advantage-ground of being established by the laws, and incorporated into the government.

By degrees your majesty is brought, in the course of this History, as it were to the top of some exalted height, from whence you may behold all the errors and misfortunes of the time past with advantage to yourself; may view armies drawn up, and battles fought, without your part of the danger; and, by the experience of former misfortunes, establish your own security.

It seems to be a situation not unlike that of the temple of wisdom in Lucretius, from whence he advises his readers to look down on all the vanity and hurry of the world[1]. And as that philosophical poet does very movingly describe the pursuits of those whom he justly styles miserable men, distracting themselves in wearisome contentions about the business and greatness of an empty world; so does this noble historian, with true and evident deductions from one cause and event to another, and such an agreeable thread of entertainment, that one is never content to give over reading, bring your majesty to an easy ascent over all the knowledge of those miserable times; from whence, not in speculation only, but really and experimentally, you may look down on all the folly, and madness, and wickedness of those secret contrivances and open violences, whereby the nation, as well as the Crown, was brought to desolation; and see how falsely and weakly those great and busy disturbers of peace pretended reformation and religion, and to be seeking God in every one of their rebellious and sinful actions; whereas God was not to be found in their thunder, nor their earthquakes, that seemed to shake the foundations of the world; but in the still voice of peace He came at last, to defeat and disappoint all their inventions: that God, to whom vengeance belongs, arose, and shewed Himself in defence of that righteous cause of the Crown and Church; which your majesty will observe to have been combined against, fought with, overthrown, and in the end raised, and reestablished together. *Now these things happened for ensamples, and they are written for our admonition.*

It is now most humbly submitted to your majesty's judgment,

[1] [*De rer. nat.* ii. 7–16.]

whether the consideration of these matters, set forth in this History, be not the most useful prospect not for yourself only, but your noblest train, your great Council, the Lords Spiritual and Temporal, and the Commons, in Parliament assembled.

When your majesty is so attended, by God's blessing, no power on earth will be able to disappoint your wisdom, or resist your will. And there may be need of all this power and authority, to preserve and defend your subjects, as well as your crown, from the like distractions and invasions. There may want the concurrence of a Parliament, to prevent the return of the same mischievous practices, and to restrain the madness of men of the same principles in this age, as destroyed the last; such as think themselves even more capable than those in the last to carry on the like wicked designs; such as take themselves to be informed, even from this History, how to mend the mistakes then committed by the principal directors on that side, and, by a more refined skill in wickedness, to be able once again to overthrow the monarchy, and then to perpetuate the destruction of it.

There is no doubt, Madam, but every thing that is represented to your majesty of this nature will find a party ready to deny it; that will join hand in hand to assure the world there is no such thing. It is a common cause, and it is their interest, if they can, to persuade men, that it is only the heat and warmth of *High-Church* inventions that suggests such fears and jealousies.

But let any impartial person judge, to whom all the libertines of the republican party are like to unite themselves; and whether it is imaginable, that the established government, either in Church or State, can be strengthened or served by them. They must go to the enemies of both, and pretend there is no such thing as a republican party in England, that they may be the less observed, and go on the more secure in their destructive projects.

They can have no better game to play, than to declare, that none but *Jacobites* alarm the nation with these apprehensions; and that *Jacobites* are much greater enemies than themselves to your majesty. Let that be so: no man, in his wits, can say any thing to your majesty in behalf of any, let them be who they will, that will not own your government, and wish the prosperity and the happiness of it, and contribute all they can to maintain it.

But whilst these men most falsely asperse the sons of the Church of England for being *Jacobites*, let them rather clear themselves of what they were lately charged before your majesty, that there are societies of them which celebrate the horrid Thirtieth of January with an execrable solemnity of scandalous

mirth [1]; and that they have seminaries, and a sort of universities, in England, maintained by great contributions, where the fiercest doctrines against monarchical and episcopal government are taught and propagated, and where they bear an implacable hatred to your majesty's title, name, and family.

This seems to be a torrent that cannot be resisted but by the whole legislative authority; neither can your throne, which they are thus perpetually assaulting, or undermining, be supported by a less power.

In these difficulties your great Council will, over and above their personal duty to your majesty, take themselves to be more concerned to be zealous in the defence of your royal prerogative, as well as of their own just rights and privileges, in that it was under the name and style of a Parliament, though very unjustly so called, that all the mischiefs mentioned in this History were brought upon the kingdom.

They best can discover the craft and subtilty formerly used in those consultations; which first inveigled and drew men in from one wickedness to another, before they were aware of what they were doing; and engaged them to think themselves not safe but by doing greater evils than they began with.

They will no doubt be filled with a just indignation against all that hypocrisy and villainy by which the English name and nation were exposed to the censure of the rest of the world; they only can be able to present your majesty with remedies proper, and adequate to all these evils, by which God may be glorified, and the ancient constitution of this government retrieved, and supported.

There is one calamity more, that stands in needs of a cure from your own sovereign hand. It is in truth a peculiar calamity fallen most heavily on this age, which though it took its chief rise from the disorderly, dissolute times of those wars, and has monstrously increased ever since, yet was never owned so much as now, and that is a barefaced contempt and disuse of all religion whatsoever. And indeed what could so much feigned sanctity, and so much real wickedness, during that Rebellion begun in 1641, produce else in foolish men's hearts, than to say, *There is no God?*

This irreligion was then pretended to be covered with a more signal morality and precise strictness in life and conversation, which was to be a recompense for the loss of Christianity. But now, even that shadow of godliness and virtue is fled too. Atheism,

[1] [The Calves' Head Club, of which the '*Secret History*' was published in 1703.]

and profaneness, diligently cultivated, have not failed to produce a prostitution of all manners in contempt of all government.

This profaneness and impiety seems, next to the horrible confusions of the late Rebellion, to have gained ground chiefly by this method, that, when many who have been in authority have not, on several accounts, been heartily affected to the support of the Church established by law, there has crept in, by little and little, a liberty against all religion. For where the chief advisers or managers of public affairs have inclined to alterations, which the established rules have not countenanced, they durst not cause the laws to be put in execution, for fear of turning the force of them on themselves; so their next refuge had been to suffer men to observe no discipline, or government at all.

Thus the Church of England, put to nurse, as it were, sometimes to such as have been inclined to Popery, and sometimes to other sects, and sometimes to men indifferent to all religion, hath been in danger of being starved, or overlaid, by all of them; and the ill consequence has redounded not only to the members of that communion, but to all the professors of Christianity itself.

Whoever have ventured to give warning of these wicked designs and practices have been rendered as persons of ill temper and very bad affections. They that have been in credit and authority have been frequently inclined to be favourable to the men complained of; it has been offered on their behalf, that their intentions were good; and that it was even the interest of the government to cover their principles, whatever might be the consequences of them.

Thus these mischiefs have been still growing, and no laws have hitherto reached them; and, possibly, they are become incapable of a remedy; unless your majesty's great example of piety and virtue shall have sufficient influence to amend them: no honest man can say it is not reasonable, and even necessary, to watch them; and that, in compassion to your subjects, as well as justice to yourself. This History has shewn your majesty their fruits in the late times, by which you shall know them still; for your majesty well remembers Who has said, that

Men do not gather grapes of thorns, or figs of thistles.

That God may give your majesty a discerning spirit, a wise and understanding heart, to judge aright of all things that belong to your peace; that He may enable you to subdue your enemies abroad by successful counsels, and arms, and to reduce your ill-willers at home by prudent laws, administered with the meekness of wisdom; that He would give you length of days in one hand,

and riches and honour in the other; that you, in your days, may have the glory to restore good nature (for which the English nation was formerly so celebrated) and good manners, as well as the sincere profession and universal practice of the true religion, in your kingdoms; and that His almighty power may defend you with His favourable kindness as with a shield, against all your adversaries of every kind, are the zealous, constant, and devout prayers of so many millions, that it were the highest presumption in any one person to subscribe a particular name to so universal a concern.

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A TRUE HISTORICAL NARRATION

OF THE

REBELLION AND CIVIL WARS IN ENGLAND.

BEGUN IN THE YEAR 1641, WITH THE PRECEDENT PASSAGES AND ACTIONS THAT CONTRIBUTED THEREUNTO.

BOOK I.

1. That posterity may not be deceived, by the prosperous wickedness of these times, into an opinion that less than a general combination, and universal apostasy in the whole nation from their religion and allegiance, could, in so short a time, have produced such a total and prodigious alteration and confusion over the whole kingdom; and so the memory of those few who, out of duty and conscience, have opposed and resisted that torrent which hath overwhelmed them may lose the recompense due to their virtue, and, having undergone the injuries and reproaches of this, may not find a vindication in a better, age; it will not be unuseful, (at least to the curiosity if not the conscience of men,) to present to the world a full and clear narration of the grounds, circumstances, and artifices of this Rebellion, not only from the time since the flame hath been visible in a civil war, but, looking farther back, from those former passages, accidents, and actions, by which the seed-plots were made and framed from whence these mischiefs have successively grown to the height they are now at.

Silly. March 18, 1645.

2. And then, though the hand and judgment of God will be very visible, in the infatuating a people (as ripe and prepared for destruction) into all the perverse actions of folly and madness, making the weak to contribute to the designs of the

wicked, and suffering even those by degrees, out of the conscience of their guilt, to grow more wicked than they intended to be; letting the wise to be imposed upon by men of no understanding, and possessing the innocent with laziness and sleep in the most visible article of danger; uniting the ill, though of the most different opinions, divided interests, and distant affections, in a firm and constant league of mischief; and dividing those whose opinions and interests are the same into faction and emulation, more pernicious to the public than the treason of the others: whilst the poor people, under pretence of zeal to Religion, Law, Liberty, and Parliaments, (words of precious esteem in their just signification,) are furiously hurried into actions introducing Atheism, and dissolving all the elements of Christian Religion, cancelling all obligations, and destroying all foundations of Law and Liberty, and rendering not only the privileges but very being of Parliaments desperate and impossible: I say, though the immediate finger and wrath of God must be acknowledged in these perplexities and distractions, yet he who shall diligently observe the distempers and conjunctures of time, the ambition, pride, and folly of persons, and the sudden growth of wickedness, from want of care and circumspection in the first impressions, will find all this bulk of misery to have proceeded, and to have been brought upon us, from the same natural causes and means which have usually attended kingdoms swoln with long plenty, pride, and excess, towards some signal mortification, and castigation of Heaven. And it may be, upon the view of the impossibility of foreseeing many things that have happened, and of the necessity of overseeing many other things, [we] may not yet find the cure so desperate, but that, by God's mercy, the wounds may be again bound up, though no question many must first bleed to death; and then this prospect may not make the future peace less pleasant and durable.

3. And I have the more willingly induced myself to this unequal task out of the hope of contributing somewhat to that end: and though a piece of this nature (wherein the infirmities of some, and the malice of others, both things and persons, must

be boldly looked upon and mentioned) is not likely to be published, (at least in the age in which it is writ,) yet it may serve to inform myself and some others what we are to do, as well as to comfort us in what we have done; and then possibly it may not be very difficult to collect somewhat out of that store more proper, and not unuseful, for the public view. And as I may not be thought altogether an incompetent person for this communication, having been present as a member of Parliament in those councils before and till the breaking out of the Rebellion, and having since had the honour to be near two great kings[1] in some trust, so I shall perform the same with all faithfulness and ingenuity, with an equal observation of the faults and infirmities of both sides, with their defects and oversights in pursuing their own ends; and shall no otherwise mention small and light occurrences than as they have been introductions to matters of the greatest moment; nor speak of persons otherwise than as the mention of their virtues or vices is essential to the work in hand: in which as I shall have the fate to be suspected rather for malice to many than of flattery to any, so I shall, in truth, preserve myself from the least sharpness that may proceed from private provocation or a more public indignation; in the whole observing the rules that a man should, who deserves to be believed.

4. I shall not then lead any man farther back in this journey, for the discovery of the entrance into these dark ways, than the beginning of this King's reign. For I am not so sharp-sighted as those who have discerned this rebellion contriving from, if not before, the death of Queen Elizabeth, and fomented by several Princes and great ministers of state in Christendom to the time that it brake out. Neither do I look so far back as believing the design to be so long since formed; (they who have observed the several accidents, not capable of being contrived, which have contributed to the several successes, and do know the persons who have been the grand instruments towards

[1] [The words *two great kings* are substituted by Clarendon for *his majesty*; an alteration which shows revision in his second exile of what he had written in his first.]

this change, of whom there have not been any four of familiarity and trust with each other, will easily absolve them from so much industry and foresight in their mischief;) but that, by viewing the temper, disposition, and habit, of that time, of the court and of the country, we may discern the minds of men prepared, of some to do, and of others to suffer, all that hath since happened: the pride of this man, and the popularity of that; the levity of one, and the morosity of another; the excess of the court in the greatest want, and the parsimony and retention of the country in the greatest plenty; the spirit of craft and subtlety in some, and the rude and unpolished integrity of others, too much despising craft or art; like so many atoms contributing jointly to this mass of confusion now before us.

1625 5. King James in the end of March 1625 died, leaving his majesty that now is engaged in a war with Spain, but unprovided with money to manage it, though it was undertaken by the consent and advice of Parliament: the people being naturally enough inclined to the war (having surfeited with the uninterrupted pleasures and plenty of twenty-two years peace) and sufficiently inflamed against the Spaniard, but quickly weary of the charge of it. And therefore, after an unprosperous and chargeable attempt in a voyage by sea upon Caliz, [Cadiz,] and as unsuccessful and more unfortunate a one upon France, at the Isle of Rees, [Rhé,] (for some difference had likewise at the same time begotten a war with that prince,) a
1630 general peace was shortly concluded with both kingdoms; the exchequer being so exhausted with the debts of King James, the bounty of his majesty that now is, (who, upon his first access to the crown, gave many costly instances of his favour to persons near him,) and the charge of the war upon Spain and France, that, both the known and casual revenue being anticipated, the necessary subsistence of the household was unprovided for; and the King on the sudden driven to those straits for his own support that many ways were resorted to, and inconveniences submitted to, for supply; as, selling the

crown-lands, creating peers for money, and many other particulars, which no access of power or plenty since could repair.

6. Parliaments were summoned, and again dissolved: and in the fourth year that (after the dissolution of two former) 1629 was determined with a profession and declaration that there should be no more assemblies of that nature expected, and all men inhibited upon the penalty of censure so much as to speak of a Parliament. And here I cannot but let myself loose to say, that no man can shew me a source from whence these waters of bitterness we now taste have more probably flowed, than from this unseasonable, unskilful, and precipitate dissolution of Parliaments; in which, by an unjust survey of the passion, insolence, and ambition of particular persons, the Court measured the temper and affection of the country; and by the same standard the people considered the honour, justice, and piety of the Court; and so usually parted, at those sad seasons, with no other respect and charity one toward the other than accompanies persons who never meant to meet but in their own defence. In which always the King had the disadvantage to harbour persons about him who with their utmost industry, information, and malice, improved the faults and infirmities of the Court to the people; and again, as much as in them lay, rendered the people suspected if not odious to the King.

7. I am not altogether a stranger to the passages of those Parliaments, (though I was not a member of them,) having carefully perused the Journals of both Houses, and familiarly conversed with many who had principal parts in them; and I cannot but wonder at those counsels which persuaded the courses then taken; the habit and temper of men's minds being, no question, very applicable to the public ends, and those ends being only discredited by the jealousies the people entertained, from the manner of the prosecution, that they were other, and worse, than in truth they were. It is not to be denied that there were in all those Parliaments, especially in that of the fourth year, several passages, and distempered speeches of particular persons, not fit for the dignity and honour of those places, and unsuitable to the reverence due to his majesty and

1629 his councils. But I do not know any formed Act of either
March 2. House (for neither the Remonstrance or votes of the last day were such) that was not agreeable to the wisdom and justice of great courts upon those extraordinary occasions. And whoever considers the acts of power and injustice in the intervals of Parliaments, will not be much scandalized at the warmth and vivacity of those meetings.

1626 8. In the second Parliament there was a mention, and intention declared, of granting five subsidies, a proportion (how contemptible soever in respect of the pressures now every day imposed) never before heard of in Parliament. And that meeting being, upon very unpopular and unplausible reasons, immediately dissolved, those five subsidies were exacted throughout the whole kingdom with the same rigour, as if, in truth, an Act had passed to that purpose. And very many gentlemen of prime quality, in all the several counties of England, were, for refusing to pay the same, committed to prison, with great rigour and extraordinary circumstances. And could it be imagined, that these men would meet again
1628 in a free convention of Parliament without a sharp and severe expostulation, and inquisition into their own right, and the power that had imposed upon that right? And yet all these provocations, and many other, almost of as large an extent,
June. produced no other resentment than the Petition of Right, (of no prejudice to the Crown,) which was likewise purchased at the price of five more subsidies, and, in a very short time after that supply granted, that Parliament was likewise, with
1629 strange circumstances of passion on all sides, dissolved.

March 10. 9. The abrupt and ungracious breaking of the two first Parliaments was wholly imputed to the duke of Buckingham, and of the third principally to the lord Weston, then Lord High Treasurer of England; both in respect of the great power and interest they then had in the affections of his majesty, and for that the time of the dissolutions happened to be when some charges and accusations were preparing and ready to be preferred against those two great persons. And therefore the envy and hatred that attended them thereupon was insupportable,

and was visibly the cause of the murder of the first, (stabbed to the heart by the hand of an obscure villain, upon the mere impious pretence of his being odious to the Parliament,) and made, no doubt, so great an impression upon the understanding and nature of the other, that by degrees he lost that temper and serenity of mind he had been before master of, and which was most fit to have accompanied him in his weighty employments; insomuch as, out of indignation to find himself worse used than he deserved, he cared less to deserve well than he had done, and insensibly grew into that public hatred that rendered him less useful to the service that he only intended.

10. I wonder less at the errors of this nature in the duke of Buckingham; who, having had a most generous education in courts, was utterly ignorant of the ebbs and floods of popular councils, and of the winds that move those waters; and could not, without the spirit of indignation, find himself in the space of a few weeks, without any visible cause intervening, from the greatest height of popular estimation that any person hath ascended to, (insomuch as sir Edward Coke blasphemously called him our Saviour,) by the same breath thrown down to the depth of calumny and reproach. I say, it is no marvel, (besides that he was naturally [inclined] to follow such counsel as was given him,) that he could think of no better way to be freed of the inconveniences and troubles the passions of those meetings gave him, than to dissolve them, and prevent their coming together: and, that when they seemed to neglect the public peace out of animosity to him, that he intended his own ease and security in the first place, and easily believed the public might be otherwise provided for by more intent and dispassionate councils. But that the other, the lord Weston, who had been very much and very popularly conversant in those conventions, who exactly knew the frame and constitution of the kingdom, the temper of the people, the extent of the courts of law, and the jurisdiction of parliaments, which at that time had never committed any excess of jurisdiction, (—modesty and moderation in words never was, nor ever will be, observed in popular councils, whose foundation is liberty of

speech—) should believe that the union, peace, and plenty of the kingdom could be preserved without parliaments, or that the passion and distemper gotten and received into parliaments could be removed and reformed by the more passionate breaking and dissolving them; or that that course would not inevitably prove the most pernicious to himself; is as much my wonder as any thing that hath since happened.

11. There is a protection very gracious and just which princes owe to their servants, when, in obedience to their just commands, upon extraordinary and necessary occasions in the execution of their trusts, they swerve from the strict rule of the law, which, without that mercy, would be penal to them. In any case, it is as legal (the law presuming it will be always done upon great reason) for the king to pardon, as for the party to accuse, and the judge to condemn. But for the supreme power to interpose, and shelter an accused servant from answering, does not only seem an obstruction of justice, and lay an imputation upon the prince of being privy to the offence, but leaves so great a scandal upon the party himself that he is generally concluded guilty of whatsoever he is charged; which is commonly more than the worst man ever deserved. And it is worthy the observation, that, as no innocent man who made his defence ever suffered in those times by judgment of Parliament, so, many guilty persons, and against whom the spirit of the time went as high, by the wise managing their defence have been freed from their accusers, not only without
i. May, censure but without reproach; as the bishop of Lincoln, then
ii. Feb. 1624 Lord Keeper, sir H. Martin, and sir H. Spiller; men in their
1629 several degrees as little beholding to the charity of that time
iii. Nov.–Dec. as any men since. Whereas scarce a man who, with industry
1640 and skill, laboured to keep himself from being accused, or by power to stop or divert the course of proceeding, scaped without some signal mark of infamy or prejudice. And the reason is clear; for—besides that after the first storm there is some compassion naturally attends men like to be in misery, and besides the latitude of judging in those places, whereby there is room for kindness and affection and collateral considerations

to interpose—the truth is, those accusations (to which this man contributes his malice, that his wit, all men what they please, and most upon hearsay, with a kind of uncharitable delight of making the charge as heavy as may be) are commonly stuffed with many odious generals, that the proofs seldom make good: and then a man is no sooner found less guilty than he is expected but he is concluded more innocent than he is; and it is thought but a just reparation for the reproach that he deserved not, to free him from the censure he deserved. So that, very probably, those two noble persons had been happy if they had stoutly submitted to the proceedings were designed against them; and, without question, it had been of sovereign use to the King if, in those peaceable times, parliaments had been taught to know their own bounds by being suffered to proceed as far as they could go; by which the extent of their power would quickly have been manifested. From whence no inconvenience of moment could have proceeded; the House of Commons never then pretending to the least part of judicature, or exceeding the known verge of their own privileges; the House of Peers observing the rules of law and equity in their judgments, and proceeding deliberately upon clear testimony and evidence of matter of fact; and the King retaining the sole power of pardoning, and receiving the whole profit of all penalties and judgments, and indeed having so great an influence upon the body of the peerage, that it was never known that any person of honour was severely censured in that House, (before this present Parliament,) who was not either immediately prosecuted by the Court or in evident disfavour there; in which, it may be, (as it usually falls out) some doors were opened at which inconveniences to the Crown have got in, that were not then enough weighed and considered.

12. But the course of exempting men from prosecution by dissolving of parliaments made the power of parliaments much more formidable, as conceived to be without limit; since the sovereign power seemed to be compelled (as unable otherwise to set bounds to their proceedings) to that rough cure, and to determine their being because it could not determine their

jurisdiction. Whereas, if they had been frequently summoned, and seasonably dissolved after their wisdom in applying medicines and cures, as well as their industry in discovering diseases, had been discerned, they would easily have been applied to the uses for which they were first instituted, and been of no less esteem with the Crown than of veneration with the people. And so I shall conclude this digression, which I conceived not unseasonable for this place nor upon this occasion, and return to the time when that brisk resolution was taken of totally declining those conventions; all men being inhibited (as I said before) by proclamation, at the dissolution of the Parliament in the fourth year, so much as to mention or speak as if a Parliament should be called.

13. And here it will give much light to that which follows if we take a view of the state of the Court and of the Council at that time, by which, as in a mirror, we may best see the face of that time, and the affections and temper of the people in general. And for the better taking this prospect, we will take a survey of the person of that great man, the duke of Buckingham, (who was so barbarously murdered at this time,) whose influence had been unfortunate in the public affairs, and whose death produced a change in all the councils[1].

14. The duke was indeed a very extraordinary person; and never any man, in any age, nor, I believe, in any country or nation, rose, in so short a time, to so much greatness of honour, fame and fortune, upon no other advantage or recommendation than of the beauty and gracefulness and becomingness of his person. And I have not the least purpose of undervaluing his good parts and qualities, (of which there will be occasion shortly to give some testimony,) when I say that his first introduction into favour was purely from the handsomeness of his person.

15. He was the younger son of sir George Villiers, of Brookesby, in the county of Leicester; a family of an ancient extraction, even from the time of the Conquest, and transported

[1] [§ 13 is added in the margin of the MS., and reference is made from it to the MS. of the *Life*, from which all that follows to § 147 is derived.]

then with the Conqueror out of Normandy, where the family hath still remained, and still continues with lustre. After sir George's first marriage, in which he had two or three sons and some daughters [1], who shared an ample inheritance from him, by a second marriage, (with a young lady of the family of the Beaumonts [2],) he had this gentleman and two other sons and a daughter, who all came afterwards to be raised to great titles and dignities. George, the eldest son of this second bed, was, after the death of his father, by the singular affection and care of 1605
his mother, who enjoyed a good jointure in the account of that age, well brought up; and, for the improvement of his education and giving an ornament to his hopeful person, he was by her sent into France, where he spent two or three years in attaining the language, and in learning the exercises of riding and dancing; in the last of which he excelled most men, and returned into England by the time he was twenty-one years old. 1613

16. King James reigned at that time; and though he was a prince of more learning and knowledge than any other of that age, and really delighted more in books and in the conversation of learned men, yet, of all wise men living, he was the most delighted and taken with handsome persons and with fine clothes. He began to be weary of his favourite the earl of Somerset, who was the only favourite who kept that post so long without any public reproach from the people: and, by the instigation and wickedness of his wife, he became at least privy to a horrible murder that exposed him to the utmost severity of the law, (the poisoning of sir Thomas Overbury,) upon which both 1616
he and his wife were condemned to die, after a trial by their May 25.
peers; and many persons of quality were executed for the same.

17. Whilst this was in agitation, and before the utmost discovery was made, Mr. Villiers appeared in Court, and drew the King's eyes upon him. There were enough in the Court enough angry and incensed against Somerset for being what themselves desired to be, and especially for being a Scotchman, and ascending in so short a time from being a page to the height he was then at,

[1] [Two sons and three daughters.]
[2] [Mary, daughter of Anth. Beaumont.]

to contribute all they could to promote the one, that they might throw out the other. Which being easily brought to pass, by the proceeding of the law upon his crime aforesaid, the other found very little difficulty in rendering himself gracious to the King, whose nature and disposition was very flowing in affection towards persons so adorned, insomuch that, in few days after his first appearance in Court he was made cupbearer to the King; by which he was naturally to be much in his presence, and so admitted to that conversation and discourse with which that prince always abounded at his meals. And his inclination to his new cupbearer disposed him to administer frequent occasions of discoursing of the Court of France, and the transactions there, with which he had been so lately acquainted that he could pertinently enlarge upon that subject, to the King's great delight, and to the reconciling the esteem and value of all the standers by likewise to him, which was a thing the King was well pleased with.

18. He acted very few weeks upon this stage when he mounted higher, and, being knighted, without any other quali-
1616 fication, he was at the same time made gentleman of the bedchamber, and knight of the order of the Garter; and in a short time (very short for such a prodigious ascent) he was
1617-18 made a baron, a viscount, an earl, a marquis, and became Lord High Admiral of England, Lord Warden of the Cinque Ports, Master of the Horse, and entirely disposed of all the graces of the King, in conferring all the honours and all the offices of the three kingdoms, without a rival; in dispensing whereof he was guided more by the rules of appetite than of judgment; and so exalted almost all of his own numerous family and dependants, who had no other virtue or merit than their alliance to him, which equally offended the ancient nobility and the people of all conditions, who saw the flowers of the Crown every day fading and withered, whilst the demesnes and revenue thereof was sacrificed to the enriching a private family, (how well soever originally extracted,) not heard of before ever to the nation; and the expenses of the Court so vast, and unlimited by the old good rules of economy, that they had a sad prospect of that

poverty and necessity which afterwards befell the Crown, almost to the ruin of it.

19. Many were of opinion that King James before his death grew weary of his favourite, and that if he had lived he would have deprived him at least of his large and unlimited power. And this imagination prevailed with some men, as the Lord Keeper Lincoln, the earl of Middlesex, Lord High Treasurer of England, and other gentlemen of name though not in so high stations, that they had the courage to withdraw from their absolute dependence upon the duke, and to make some other essays, which proved to the ruin of every one of them, there appearing no marks or evidence that the King did really lessen his affection to him to the hour of his death. On the contrary, as he created him duke of Buckingham in his absence, whilst he was with the Prince in Spain, so, after his return, he executed the same authority in conferring all favours and graces, and revenging himself upon those who had manifested any unkindness towards him. And yet, notwithstanding all this, if that King's nature had equally disposed him to pull down as to build and erect, and if his courage and severity in punishing and reforming had been as great as his generosity and inclination was to oblige, it is not to be doubted but that he would have withdrawn his affection from the duke entirely before his death; which those persons who were admitted to any privacy with [him,] and were not in the confidence of the other, (for before those he knew well how to dissemble,) had reason enough to expect.

20. For it is not to be doubted that the King was never well pleased with the duke after the Prince's going into Spain, which was infinitely against his will, and contrived wholly by the duke: who, out of envy that the earl of Bristol should have the sole management of so great an affair, (as hitherto that treaty had been wholly managed by him in Spain, where he was now extraordinary ambassador, and all particulars agreed upon,) had one day insinuated to the Prince the common misfortune of princes that in so substantial a part of their happiness in this world as depended upon their marriage, themselves had never

1623 Jan.

1623 any part, but must receive only an account from others of the nature and humour and beauty of the ladies they were to marry; and those reports seldom proceeded from persons totally uninterested, at least uninclined from the parts they had acted towards such preparations. From hence [he] discoursed how gallant and how brave a thing it would be for his highness to make a journey into Spain and to fetch home his mistress; that it would put an end presently to all those formalities, which, (though all substantial matters were agreed upon already,) according to the style of that Court and the slow progress in all things of ceremony, might yet long retard the Infanta's voyage into England many months, all which would be in a moment removed by his own presence; that it would be such an obligation to the Infanta herself as she could never enough value or requite, and being a respect never paid by any other prince, upon the like addresses, could proceed only from the high regard and reverence he had for her person; that in the great affair that only remained undetermined, and was not entirely yielded to, though under a very civil deliberation, which was the restoring the Palatinate, it was very probable that the King of Spain himself might choose in the instant to gratify his personal interposition, which in a treaty with an ambassador might be drawn out in length, or attended with overtures of recompense by some new concessions which would create new difficulties: however, that the mediation could not but be frankly undertaken by the Infanta herself, who would ambitiously make it her work to pay a part of her great debt to the Prince, and that he might with her and by her present to his majesty the entire peace and restitution of his family, which by no other human means could be brought to pass.

21. These discourses made so deep impression upon the mind and spirit of the Prince, (whose nature was inclined to adventures,) that he was transported with the thought of it, and most impatiently solicitous to bring it to pass. The greatest difficulty that was in view was how they might procure the King's consent, who was very quicksighted in discerning difficulties

and raising objections, and very slow in mastering them and untying the knots he had made: in a word, he knew not how to wrestle with desperate contingencies, and so abhorred the being entangled in such. This was to be first attempted by the Prince himself, by communicating it to the King as his earnest desire and suit, with this circumstance, that since his doing or not doing what he most desired depended wholly and entirely upon his majesty's own approbation and command, that he would vouchsafe to promise not to communicate the thing proposed before he had first taken his own resolution; and that this condition should be first humbly insisted on, before the substantial point should be communicated; and so, this approach being first made, the success and prosecution was to be left to the duke's credit, dexterity and cultivation. All things being thus concerted between his highness and the duke, (and this the beginning of an entire confidence between them, after a long time of declared jealousy and displeasure on the Prince's part[1], and occasion enough administered on the other,) they shortly found a fit opportunity (and there were seasons when that King was to be approached more hopefully than in others) to make their address together. And his majesty cheerfully consented to the condition, and, being well pleased that all should depend upon his will, frankly promised that he would not in any degree communicate to any person the matter before he had taken and communicated to them his own resolution. 1623 Feb.

22. The Prince then, upon his knees, declared his suit and very importunate request, the duke standing a long time by without saying a word, and until the King discoursed the whole matter to the Prince with less passion than they expected, and then looked upon the duke, as inclined to hear what he would say; who spake nothing to the point whether in point of prudence counsellable or not, but enlarged upon the infinite obligation his majesty would confer upon the Prince by his concession, of the violent passion his highness was transported with, and, after many exalted expressions to that purpose, con-

[1] [This statement is noted by S. R. Gardiner as 'manifestly incorrect.' *Spanish Match*, i. 298.]

1623 cluded that he doubted that his majesty's refusing to grant the Prince this his humble request would make a deep impression upon his spirits and peace of mind, and that he would, he feared, look upon it as the greatest misfortune and affliction that could befall him in this world. The Prince then taking the opportunity, from the good temper he saw his father in, to enlarge upon those two points which he knew were most important in the King's own wishes and judgment; that this expedient would put a quick end to this treaty, which could not be continued after his arrival in that Court, but that his marriage must presently ensue, which he well knew the King did the most impatiently desire of all blessings in this world; he said likewise, he would undertake (and he could not but be believed from the reasonableness of it) that his presence would in a moment determine the restitution of the Palatinate to his brother and sister; which was the second thing the King longed most passionately to see before he should leave this world.

23. These discourses, urged with all the artifice and address imaginable, so far wrought upon and prevailed with the King, that, with less hesitation than his nature was accustomed to, and much less than was agreeable to his great wisdom, he gave his approbation, and promised that the Prince should make the journey he was so much inclined to: whether he did not upon the sudden comprehend the consequences which would naturally attend such a rash undertaking, or whether he the less considered them because the provisions which must be made for such a journey, both with reference to the expense and security of it, would take up much time, and could not be done in such a secret way but that the counsel itself might be resumed again, when new measures should be taken. But this imagination was too reasonable not to be foreseen by them; and so they had provided themselves accordingly. And therefore, as soon as they had the King's promise upon the main, they told him the security of such a design depended on the expedition, without which there could be no secresy observed or hoped for; that, if it was deferred till such a fleet could be made ready, and such an equipage prepared, as might be fit for the Prince of Wales,

so much time would be spent as would disappoint the principal ends of the journey: if they should send for a pass to France, the ceremony in the asking and granting it, and that which would flow from it in his passage through that kingdom, would be at least liable to the same objection of delay: besides that, according to the mysteries and intrigues of state, such a pass could not in point of security be reasonably depended upon; and therefore they had thought of an expedient which would avoid all inconveniences and hazards, and that it should be executed before it should be suspected: that it had never hitherto been in the least degree consulted but between themselves, (which was really true;) and therefore, if they now undertook the journey only with two servants, who should not know any thing till the moment they were to depart, they might easily pass through France before they should be missed at Whitehall: which was not hard to be conceived, and so with the less disquisition was consented to by the King. And the farther deliberation of what was more to be done, both in matter and manner, and the nomination of the persons who should attend them, and the time for their departure, was deferred to the consultation of the next day. 1623

24. When the King, in his retirement and by himself, came to revolve what had been so loosely consulted before, as he had a wonderful sagacity in such reflections, a thousand difficulties and dangers occurred to him, as so many precipices which could hardly be avoided in such a journey. Besides those considerations which the violent affection of a father to his only son suggested to him, he thought how ill an influence it might have on his people, too much disposed to murmur and complain of the least inadvertisements; that they looked upon the Prince as the son of the kingdom as well as his natural son. He considered the reputation he should lose with all foreign princes, (especially if any ill accident should happen) by so much departing from his dignity in exposing the immediate heir of the crown, his only son, to all the dangers and all the jealousies which particular malice, or that fathomless abyss of reason of state, might prepare and contrive against him; and then, in how

1623 desperate a condition himself and his kingdoms should remain, if the prince miscarried, by such an unparalleled weakness of his, contrary to the light of his understanding as well as the current of his affection.

25. These reflections were so terrible to him that they robbed him of all peace and quiet of mind; insomuch as when the Prince and duke came to him about the despatch, he fell into a great passion of tears, and told them that he was undone, and that it would break his heart if they pursued their resolution; that, upon a true and dispassionate disquisition he had made with himself, he was abundantly convinced that, besides the almost inevitable hazards of the Prince's person, with whom his life was bound up, and besides the entire loss of the affections of his people, which would unavoidably attend this rash action, he foresaw it would ruin the whole design, and irrecoverably break the match. For whereas all those particulars upon which he could positively and of right insist were fully granted, (for that which concerned the Prince Elector, who had unexcusably, and directly against his advice, incurred the ban of the empire in an imperial diet[1], must be wrought off by mediation and treaty, could not be insisted upon in justice,) nor could Spain make any new demands, all the overtures they had made being adjusted; the Prince should no sooner arrive at Madrid than all the articles of the treaty should be laid aside, and new matters be proposed, which had not been yet mentioned, and could never be consented to by him: that the treaty of this marriage, how well soever received, and how much soever desired by the King and his chief ministers, was in no degree acceptable to the Spanish nation in general, and less to the court of Rome, where, though the new Pope seemed more inclined to grant the dispensation than his predecessor had been, it was plain enough that it proceeded only from the apprehension he had to displease the King of Spain, not that he was less averse from the match, it having been always believed both in Spain and in Rome that this marriage was to be

[1] [It was not until the thirteenth of this very month that the Elector Frederick was deposed from his Electorate by the Diet at Ratisbon.]

attended with a full repeal of all the penal laws against the 1623
Catholics, and a plenary toleration of the exercise of that religion in England, which they now saw concluded without any signal or real benefit or advantage to them. And therefore they might expect, and be confident, that when they had the person of the Prince of Wales in their hands, the King of Spain (though in his own nature and inclination full of honour and justice) would be even compelled by his clergy (who had always a great influence upon the counsels of that kingdom) and the importunities from Rome, who would tell him that God had now put it into his hand to advance the Catholic cause, to make new demands for those of that religion here; which, though he could never consent to, would at best interpose such delays in the marriage that he should never live to see it brought to pass, nor probably to see his son return again out of Spain. Then he put the duke in mind (whom he hitherto believed only to comply with the Prince to oblige him, after a long alienation from his favour) how inevitable his ruin must be by the effect of this counsel, how ungracious he was already with the people, and how many enemies he had amongst the greatest persons of the nobility, who would make such use of this occasion that it would not be in his majesty's power to protect him. And he concluded with the disorder and passion with which he began, with sighs and tears, to conjure them that they would no more press him to give his consent to a thing so contrary to his reason and understanding and interest, the execution whereof would break his heart, and that they would give over any farther pursuit of it.

26. The Prince and the duke took not the pains to answer any of the reasons his majesty had insisted on; his highness only putting him in mind of the promise he had made to him the day before, which was so sacred that he hoped he would not violate it; which would make him never think more of marriage. The duke, who better knew what kind of arguments were of prevalence with him, treated him more rudely; told him nobody could believe any thing he said when he retracted so soon the promise he had so solemnly made; that he plainly

1623 discerned that it proceeded from another breach of his word, in communicating with some rascal who had furnished him with those pitiful reasons he had alleged, and he doubted not but he should hereafter know who his counsellor had been: that if he receded from what he had promised, it would be such a disobligation upon the Prince, who had set his heart now upon the journey after his majesty's approbation, that he could never forget it, nor forgive any man who had been the cause of it.

27. The Prince (who had always expressed the highest duty and reverence towards the King,) by his humble and importunate entreaty, and the duke by his rougher dialect, in the end prevailed so far, (after his majesty had passionately and with many oaths renounced the having communicated the matter with any person living,) that the debate was again resumed upon the journey, which they earnestly desired might not be deferred, but that they might take their leaves of the King within two days, in which they would have all things ready which were necessary, his highness pretending to hunt at Tybalt's, [Theobald's,] and the duke to take physic at Chelsy.

28. They told him, that being to have only two more in their company, as was before resolved, they had thought (if he approved them) upon sir Francis Cottington and Endymion Porter, who, though they might safely, should not be trusted with the secret till they were even ready to be embarked. The persons were both grateful to the King, the former having been long his majesty's agent in the court of Spain, and was now secretary to the Prince; the other having been bred in Madrid, and, after many years attendance upon the duke, was now one of the bedchamber to the Prince: so that his majesty cheerfully approved the election they had made, and wished it might be presently imparted to them: saying that many things would occur to them as necessary to the journey that they two would never think of; and took that occasion to send for sir Francis Cottington to come presently to him, (whilst the other two remained with him,) who, being of custom waiting in the outward rooms, was quickly brought in; whilst the duke whispered the Prince in the ear that Cottington

would be against the journey, and his highness answered he durst not. 1623

29. The King told him that he had always been an honest man, and therefore he was now to trust him in an affair of the highest importance, which he was not upon his life to disclose to any man alive; then said to him, 'Cottington, here is Baby Charles and Stenny,' (an appellation he always used of and towards the duke,) 'who have a great mind to go by post into Spain to fetch home the Infanta, and will have but two more in their company, and have chosen you for one; what think you of the journey?' He often protested that when he heard the King he fell into such a trembling that he could hardly speak. But when the King commanded him to answer him, what he thought of the journey, he replied, that he could not think well of it, and that he believed it would render all that had been [done] towards the match fruitless: for that Spain would no longer think themselves obliged by those articles, but that when they had the Prince in their hands they would make new overtures which they believed more advantageous to them, amongst which they must look for many which would concern religion, and the exercise of it in England. Upon which the King threw himself upon his bed, and said, 'I told you this before,' and fell into new passion and lamentation, that he was undone, and should lose Baby Charles.

30. There appeared displeasure and anger enough in the countenances both of the Prince and duke; the latter saying, that as soon as the King sent for him, he whispered the Prince in the ear that he would be against it; that he knew his pride well enough; and that, because he had not been first advised with, he was resolved to dislike it; and thereupon he reproached Cottington with all possible bitterness of words; told him the King asked him only of the journey, and which would be the best way, of which he might be a competent counsellor, having made the way so often by post: but that he had the presumption to give his advice upon matter of state, and against his master, without being called to it, which he should repent as long as he lived; with a thousand new

1623 reproaches; which put the poor King into a new agony, on the behalf of a servant who he foresaw would suffer for answering him honestly. Upon which he said, with some commotion, 'Nay, by God, Stenny, you are very much to blame to use him so. He answered me directly to the question I asked him, and very honestly and wisely: and yet you know he says no more than I told you before he was called in.' However, after all this passion on both parts, the King yielded, and the journey was at that very conference agreed upon, and all directions given accordingly to sir Francis Cottington; the King having now plainly discovered that the whole intrigue was originally contrived by the duke, and so violently pursued by his spirit and impetuosity.

31. The manner, circumstances, and conclusion of that voyage, with the rare accidents which happened in it, will no doubt be at large remembered by whosoever shall have the courage to write the transactions of that time with that integrity he ought to do: in which it will manifestly appear, how much of the prophet was in the wisdom of the King, and that that designed marriage, which had been so many years in treaty, even from the death of Prince Harry, and so near concluded, was solely broken by that journey: which, with the passages before mentioned, King James never forgave the duke of Buckingham, but retained as sharp a memory of it as his nature could contain.

32. This indisposition in the King towards the duke was exceedingly increased and aggravated upon and after the
Oct. Prince's return out of Spain. For though it brought infinite joy and delight to his majesty, which he expressed in all imaginable transportation, and was the argument of the loudest and most universal rejoicing over the whole kingdom that the nation had ever then been acquainted with;—in which the duke had so full a harvest, that the imprudence and presumption (to say no more) of carrying the Prince into Spain was totally forgotten, or forgotten with any reference to him, and the high merit and inestimable obligation in bringing him home was remembered, magnified, and celebrated by all men in

all places;—yet the King was wonderfully disquieted, when 1623
he found (which he had not before their return suspected) that the Prince was totally aliened from all thoughts of, or inclinations to, the marriage, and that they were resolved to break it, with or without his approbation or consent. And in this the duke resumed the same impetuosity he had so much indulged to himself in the debate of the journey into Spain.

33. The King had, upon the Prince's return, issued out 1624
writs to call a Parliament, which was in the twenty-first year of his reign, thinking it necessary, with relation to the perplexities he was in for the breach of this match with Spain, (which he foresaw must ensue,) and the sad condition of his only daughter in Germany with her numerous issue, to receive their grave advice. By the time the Parliament could meet, the Prince's entire confidence being still reposed in the duke, as the King's seemed to be, the duke had wrought himself into the very great esteem and confidence of the principal members of both Houses of Parliament, who were most like to be the leading men, and had all a desire to have as much reputation in the Court as they had in the country. It was very reasonably thought necessary that as the King would, at the opening of the Parliament, make mention of the treaty with Spain, and more at large of his daughter's being driven out of the Palatinate, which would require their assistance and aid, so that the Prince and duke should afterwards, to one or both Houses, as occasion should be offered, make a relation of what had passed in Spain, especially concerning the Palatinate: that so putting the Houses into some method and order of their future debate, they would be more easily regulated than if they were in the beginning left to that liberty which they naturally affected, and from which they would not be restrained but in such a manner as would be grateful to themselves.

34. Things being thus concerted, after the Houses had been three or four days together, (for in that time some days were always spent in the formality of naming committees and providing for common occurrences before they made an entrance

1624 upon more solemn debates), the Prince began to speak of the
Feb. 23. Spanish affairs and of his own journey thither, and forgat not to mention the duke with more than ordinary affection. Whereupon it was thought fit that the whole affair, which was likewise to be the principal subject matter of all their consultations, should be stated and enlarged upon in a conference between the two Houses, which his highness and the duke were desired to manage. How little notice soever any body else could take of the change, the duke himself too well knew the hearty resentment the King had of what had passed, and of the affection he still had for the Spanish treaty; and therefore he had [done], and resolved still to do, all he could to make himself grateful to the Parliament and popular amongst the people, who he knew had always detested the match with Spain, or in truth any alliance with that nation.

Feb. 27. 35. So when, at the conference, the Prince had made a short introduction to the business, and said some very kind things of the duke, of his wonderful care of him whilst he was in Spain, and the great dexterity he used in getting him away, he referred the whole relation to him; who said[1], 'the true ground of the Prince's journey into Spain, which he well knew had begot such a terrible panting in the hearts of all good Englishmen, had been only to make a clear discovery of the sincerity of the Spaniard, and, if his intention was real, to put a speedy end to it by marrying the lady upon the place: if he found it otherwise, to put his father and himself into liberty to dispose of himself in some other place. That the ambassador, in whose hands that great affair was solely managed, when in one despatch he wrote that all was concluded, in the next used to give an account of new difficulties and new demands: and, when all things were adjusted at Madrid, some unexpected scruples discovered themselves at Rome, with which the councils in Spain seemed to be surprised, and appeared to be confounded and not to know what to say. These ebbs and floods made the Prince apprehend, that the purpose was to amuse us, whilst they had other designs in secret agitation. And thereupon,

[1] ['made,' MS.]

that his highness had prevailed with his father (how unwilling soever) to permit him to make that journey, that he might make that useful discovery which could not be otherwise made in any seasonable time. 1624

36. 'That they no sooner came to Madrid than they discovered (though the Prince was treated with all the respect due to his greatness and the obligation he had laid upon that nation) that there had never been any real purpose that the Infanta should be given to him: that, during so long an abode as his highness made there, they had never procured the dispensation from Rome, which they might easily have done: and that, at last, [upon] the death of the Pope, (Gregory XV,) the whole process was to begin again, and would be transacted with the formalities which they should find necessary to their other affairs. That, instead of proceeding upon the articles which had been pretended to be concluded, they urged nothing but new demands, and in matters of religion so peremptorily, that the principal clergymen and the most eminent of that King's preachers had frequent conferences with the Prince to persuade him to change his religion and become Catholic. And, in order to move him the more successfully thereunto, they procured the Pope to write a letter himself to his highness, putting him in mind of the religion of his ancestors and progenitors, and conjuring him to return to the same faith: but that it had pleased God not only to give the Prince a constant and unshakable heart in his religion, but such wonderful abilities to defend the same in his discourse and arguments, that they stood amazed to hear him, and upon the matter confessed that they were not able to answer him. 1623 July 8.

37. 'That they would not suffer the Prince to confer with, or so much as to speak to, hardly and very rarely to see, his mistress, who they pretended he should forthwith marry. That they could never obtain any better answer in the business of the Palatinate than that the restoring it was not in the power of that King, though it had been taken by the sole power of Spain and the Spanish army under the command of the marquis Spinola, who was then in the entire possession of it; but that

1624 his Catholic Majesty would use his interposition with all the credit he had with the Emperor and Duke of Bavaria, without whose joint consent it could not be done, and whose consent he hoped to obtain: but that he was well assured, that there was no more real intention in that point of restitution than in the other of the marriage; and that the Palatinate must not be looked to be recovered any other way than by force, which would easily bring it to pass.'

38. Throughout his whole discourse he made frequent reflections upon the earl of Bristol, as if he very well knew the Spaniards' purposes in the whole, and concurred with them in it; that he was so much troubled when he first saw the Prince, who alighted at his house, that he could not contain himself, but wished that his highness were at home again; that he had afterwards, when he found that his highness liked the Infanta, persuaded him in private that he would become Catholic, and that without changing his religion it would not be possible ever to compass that marriage.

39. He told them that the King had sent for the earl to return home, where he should be called to account for all his miscarriages. Whereas in truth the King had recalled him rather to assist him against the duke, than to expose him to his malice and fury; his majesty having a great esteem of that earl's fidelity to him, and of his great abilities.

40. The conference ended in a wonderful applause, in both Houses, of the Prince's and duke's behaviour and carriage
March 4. throughout the affair, and in a hasty resolution to dissuade the King from entertaining any farther motions towards the match, and frankly and resolutely to enter into a war with Spain; towards the carrying on of which they raised great mountains of promises, and, prevailing in the first, never remembered to make good the latter; which too often falls out in such councils.

41. When King James was informed of what the duke had so confidently avowed, for which he had no authority, or the least direction from him, and a great part whereof himself knew to be untrue; and that he had advised an utter breach of the treaty,

and to enter upon a war with Spain, he was infinitely offended; 1624
so that he wanted only a resolute and brisk counsellor to assist him in destroying him: and such a one he promised himself in the arrival of the earl of Bristol, whom he expected every day.

42. He had another exception against the duke, which touched him as near, and in which he enlarged himself much more. Lionel Cranfeild, who, though extracted from a gentleman's family, had been bred in the city, and, being a man of great wit and understanding in all the mysteries of trade, had found means to work himself into the good opinion and favour of the duke of Buckingham; and having shortly after married a near ally of the duke's, with wonderful expedition was made a Privy Councillor, Master of the Wardrobe, Master of the Wards, and, without parting with any of these, was now become Lord High Treasurer of England, and earl of Middlesex, had[1] in truth gained so much credit with the King, (being in truth a man of great parts and notable dexterity,) that during the duke's absence in Spain he was not only negligent in issuing out such sums of money as were necessary to the defraying those illimited expenses, and to correspond with him with that deference he had used to do, but had the courage to dispute his commands, and to appeal to the King, whose ear was always inclined to him, and in whom he began to believe himself so far fastened that he should not stand in need of the future support of the favourite. And of all this the duke could not be without ample information, as well from his own creatures who were near enough to observe, as from others who, caring for neither of them, were more scandalized at so precipitate a promotion of a person of such an education, and whom they had long known so much their inferior, though it could not be denied that he filled the places he held with great abilities.

43. The duke no sooner found the Parliament disposed to a good opinion of him, and being well assured of the Prince's fast kindness, than he projected the ruin of this bold rival of his, of whom he saw clearly enough that the King had so good an opinion that it would not be in his sole power to crush him,

[1] ['and had,' MS.]

1624 as he had done others in the same and as high a station. And so he easily procured some leading men in the House of
Apr. 16. Commons to cause an impeachment for several corruptions and misdemeanours to be sent up to the House of Peers against that great minister, whom they had so lately known their equal in that House, which (besides their natural inclination to those kinds of executions) disposed them with great alacrity to the prosecution. The wise King knew well enough the ill consequence that must attend such an activity, and that it would shake his own authority in the choice of his own ministers when they should find that their security did not depend solely upon his own protection: which breach upon his kingly power was so much without a precedent, (except one unhappy one made three years before[1], to gratify likewise a private displeasure,) that the like had not been practised in some hundred of years, and never in such a case as this.

44. When this prosecution was first entered upon, and that the King clearly discerned that it was contrived by the duke, and that he had likewise prevailed with the Prince to be well pleased with it, his majesty sent for them, and with much warmth and passion dissuaded them from appearing further in it; and conjured them to use all their interest and authority to restrain it, as such a wound to the Crown that would not be easily healed. And when he found the duke unmoved by all the considerations and arguments and commands he had offered, he said in great choler, 'By God, Stenny, you are a fool, and will shortly repent this folly, and will find that in this fit of popularity you are making a rod with which you will be scourged yourself.' And turning in some anger to the Prince, told him, that he would live to have his bellyful of Parliaments; and that, when he should be dead, he would have too much cause to remember how much he had contributed to the weakening of the Crown by this precedent he was now so fond of; intending as well the engaging the Parliament in the war, as the prosecution of the earl of Middlesex.

45. But the duke's power (supported by the Prince his

[1] [That of Lord Bacon, in 1621.]

countenance) was grown so great in the two Houses that it 1624
was in vain for the King to interpose; and so, notwithstanding so good a defence made by the earl that he was absolved from any notorious crime by the impartial opinion of many of those May 13.
who heard all the evidence, he was at last condemned in a great fine [£50,000], to a long and strict imprisonment, and never to sit in Parliament during his life: a clause of such a nature as was never before found in any judgment of Parliament, and, in truth, not to be inflicted upon any peer but by attainder.

46. And how much aliened soever the King's affection was in truth from the duke upon these three provocations, 1. the Prince's journey into Spain; 2. the engaging the Parliament to break the match and treaty with Spain, and to make a war against that crown; and, 3. the sacrificing the earl of Middlesex in such a manner, upon his own animosity; yet he was so far from thinking fit to manifest it, (except in whispers to very few men,) that he was prevailed with to restrain the earl of Bristol upon his first arrival, without permitting him to come into his presence, which he had positively promised and resolved to do; and in the end suffered his Attorney General to exhibit a charge of high treason in his majesty's name[1] against the said earl, who was thereupon committed to the Tower; but so little dejected with it that he answered the articles with great steadiness and unconcernedness, and exhibited another charge of high treason against the duke in many particulars.

47. And in this order and method the war was hastily entered into against Spain, and a new treaty set on foot for the Prince of Wales with the daughter of France, which was quickly concluded, though not executed till after the death of King James[2]; who, in the spring following, after a short indisposition by the gout, fell into a quartan ague, which, meeting many humours in a fat, unwieldy body of [fifty-eight] years 1625
old, in four or five fits carried him out of the world. After March 27.
whose death many scandalous and libellous discourses were

[1] [This was not done by King James, but by Charles I. The charge was exhibited in the House of Lords, by the Attorney General, on May 1, 1626.]

[2] [See *Calendar of Clarendon State Papers*, vol. i. Append. I. pp. 3–8.]

1625 raised, without the least colour or ground; as appeared upon the strictest and [most] malicious examination that could be made, long after, in a time of license, when nobody was afraid of offending majesty, and when prosecuting the highest reproaches and contumelies against the royal family was held very meritorious.

48. Upon the death of King James, Charles Prince of Wales succeeded to the crown, with as universal a joy in the people as can be imagined, and in a conjuncture when all the other parts of Christendom, being engaged in war, were very solicitous for his friendship, and the more, because he had already discovered an activity that was not like to suffer him to sit still. The duke continued in the same degree of favour, at the least, with the son which he had enjoyed so many years under the father. Which was a rare felicity, seldom known, and in which the expectation of very many was exceedingly disappointed; who, knowing the great jealousy and indignation that the Prince had heretofore had against the duke, insomuch as he was once very near striking him, expected that he would now remember that insolence of which he then so often complained; without considering the opportunity the duke had, by the conversation with the Prince during his journey into Spain, (which was so grateful to him) and whilst he was there, to wipe out the memory of all former oversights, by making them appear to be of a less magnitude than they had been understood before, and to be excusable from other causes, still being severe enough to himself for his unwary part, whatsoever excuses he might make for the excess; and by this means to make new vows for himself, and to tie new knots to restrain the Prince from future jealousies. And it is very true his hopes in this kind never failed him; the new King from the death of the old even to the death of the duke himself discovering the most entire confidence in, and even friendship to, him that ever king had shewed to any subject. All preferments in church and state [were] given by him; all his kindred and friends promoted to the degree in honour, or riches, or offices, as he thought fit, and all his enemies and enviers discountenanced, and kept at that distance from the Court as he appointed.

49. But a Parliament was necessary to be called, as at the entrance of all kings to the crown, for the continuance of some supplies and revenue to the King, which have been still used to be granted in that season. And now he quickly found how prophetic the last King's predictions had [proved], and were like to prove. The Parliament that had so furiously advanced the war, and so factiously adhered to his person, was now no more; and though the House of Peers consisted still of the same men, and most of the principal men of the House of Commons were again elected to serve in this Parliament, yet they were far from wedding the war, or taking themselves to be concerned to make good any declarations made by the former: so that, though the war was entered in, all hope of obtaining money to carry it on was even desperate; and the affection they had for the duke and confidence in him was not then so manifest, as the prejudice they had now and animosity against him was visible to all the world. All the actions of his life [were] ripped up and surveyed, and all malicious glosses made upon all he had said and all he had done: votes and Remonstrances passed against him as an enemy to the public, and his ill management made the ground of their refusal to give the King that supply he had reason to expect, and was absolutely necessary to the state he was in. And this kind of treatment was so ill suited to the duke's great spirit, which indeed might easily have been bowed but could very hardly be broken, that it wrought contrary effects upon his high mind and his indignation to find himself so used by the same men. For they who flattered him most before, mentioned him now with the greatest bitterness and acrimony; and the same men who had called him our saviour[1] for bringing the Prince safe out of Spain, called him now the corrupter of the King and betrayer of the liberties of the people[2], without imputing the least crime to him to have been committed since the time of that exalted

1625 May.

[1] [§ 10.]

[2] ['The cause of all our miseries . . . The grievance of grievances.' 'He will not suffer the King to hear truth.' 'Not only an enemy to this State but to all Christendom.' See speeches by Sir E. Coke and others, in Parliament, June 5, 1628; *Parl. Hist.* viii. 193-5.]

1625 adulation, or that was not then as much known to them as it could be now; so fluctuating and unsteady a testimony is the applause of popular councils.

50. This indignation, I say, so transported the duke that he thought it necessary to publish and manifest a greater contempt of them than he should have done; causing this and the next Parliament to be quickly dissolved, as soon as they seemed to entertain counsels not grateful to him, and before he could well determine and judge what their temper was in truth like to prove: and upon every dissolution such who had given any offence were imprisoned or disgraced; new projects were every day set on foot for money, which served only to offend and incense the people, and brought little supply to the King's occasions, yet raised a great stock for expostulation, murmur, and complaint, to be exposed when other supplies should be required; and many persons of the best quality and condition under the peerage were committed to several prisons, with circumstances unusual and unheard of, for refusing to pay money required by those extraordinary ways. And the duke himself would passionately say, and frequently do, many things which only grieved his friends and incensed his enemies, and gave them as well the ability as the inclination to do him much harm.

Aug. 12. 1626, June 15.

51. In this fatal conjuncture, and after several costly embassies into France, in the last of which the duke himself went and brought triumphantly home with him the Queen, to the joy of the nation; in a time when all endeavours should have been used to have extinguished that war in which the kingdom was so unhappily engaged against Spain, a new war was as precipitately declared against France. And the fleet, that had been unwarily designed to have surprised Cales, under a general[1] very unequal to that great work, was no sooner returned without success and with much damage, than the fleet was repaired and the army reinforced for the invasion of France; in which the duke was general himself, and made that notable descent upon the Isle of Rea which was quickly afterwards attended with many unprosperous attempts, and then with a

1625 June.

[1] [Lord Wimbledon.]

miserable retreat in which the flower of the army was lost. So 1626
that, how ill soever Spain and France were inclined to each other, they were both mortal enemies to England; whilst England itself was so totally taken up with the thought of revenge upon the person who they thought had been the cause of their distress, that they never considered that the sad effects of it (if not instantly provided against) must inevitably destroy the kingdom; and gave no truce to their rage till the duke finished 1628
his course by the wicked means mentioned before, in the fourth Aug. 24.
year of the King and the thirty-sixth of his age.

52[1]. [The duke was killed by one] John Felton, an obscure person, who had been bred a soldier, and lately a lieutenant of a foot company whose captain had been killed upon the retreat at the Isle of Ree, upon which he conceived that the company of right ought to have been conferred upon him, and it being refused to him by the duke of Buckingham, general of the army, he had given up his commission of lieutenant and withdrawn himself from the army. He was of a melancholic nature, and had little conversation with anybody, yet of a gentleman's family in Suffolk of good fortune and reputation. From the time that he had quitted the army, he resided in London.

53. When the House of Commons, transported with passion and prejudice against the duke of Buckingham, had accused him to the House of Peers for several misdemeanours and miscarriages, and in some declarations had styled him, 'the cause of all the evils the kingdom suffered, and an enemy to the public[2],' some transcripts of such expressions, (for the late license of printing all mutinous and seditious discourses was not yet in fashion,) and some general invectives he met with amongst the people, to whom that great man was not grateful, wrought so far upon this melancholic gentleman that, by degrees and (as he said upon some of his examinations) by frequently hearing some popular preachers in the city, (who

[1] [§§ 52-62 are taken from an earlier part of the MS. of the *Life*, pp. 5-7; and the words in brackets are supplied to complete the sentence from the lines which there precede.]

[2] [See note 2, p. 31.]

1628 were not yet arrived at the presumption and impudence they have been since transported with,) he believed he should do God good service if he killed the duke; which he shortly after resolved to do. He chose no other instrument to do it with than an ordinary knife, which he bought of a common cutler for a shilling: and thus provided he repaired to Portsmouth, where
Aug. 23. he arrived the eve of St. Bartholomew. The duke was then there, in order to the preparing and making ready the fleet and the army, with which he resolved in few days to transport himself to the relief of Rochelle, which was then straitly besieged by the cardinal of Richelieu, and for relief whereof the duke was the more obliged by reason that at his being at the Isle of Ree he had received great supplies of victual and some companies of their garrison from that town, the want of both which they were at this time very sensible of and grieved with.

Aug. 24. 54. This morning of St. Bartholomew the duke had received letters in which he was advertised that Rochelle had relieved itself; upon which he directed that his breakfast might speedily be made ready, and he would make haste to acquaint the King with the good news, the Court being then at Southwick, the house of sir Daniel Norton, five miles from Portsmouth. The chamber wherein he was dressing himself was full of company of persons of quality and officers of the fleet and army.

55. There was monsieur de Sobiez [Soubize], brother to the duke of Rohan, and other French gentlemen, who were very solicitous for the embarkation of the army, and for the departure of the fleet for the relief of Rochelle; and they were at this time in much trouble and perplexity, out of apprehension that the news the duke had received that morning might slacken the preparations for the voyage, which their impatience and interest persuaded were not advanced with expedition; and so they had then held much discourse with the duke of the impossibility that his intelligence could be true, and that it was contrived by the artifice and dexterity of their enemies in order to abate the warmth and zeal that was used for their relief, the arrival of which they had so much reason to apprehend; and a little longer delay in sending it would ease them of that terrible

apprehension, their forts and works toward the sea and in the harbour being almost finished. 1628

56. And this discourse, according to the natural custom of that nation and by the usual dialect of that language, was held with that passion and vehemence that the standers by, who understood not French, did believe that they were very angry, and that they used the duke very rudely. He being ready, and informed that his breakfast was ready, drew towards the door, where the hangings were held up; and, in the very passage, turning himself to speak with sir Thomas Fryer, a colonel of the army, who was then speaking near his ear, he was on the sudden struck over his shoulder upon the breast with a knife; upon which, without using any other words but that 'The villain hath killed me,' and in the same moment pulling out the knife himself, he fell down dead, the knife having pierced his heart.

57. No man had seen the blow or the man who made it; but, in the confusion they were in, every man made his own conjectures and declared it as a thing known; most agreeing that it was done by the French, from the angry discourse they thought they heard from them. And it was a kind of a miracle that they were not all killed in that instant; the soberer sort that preserved them from it having the same opinion of their guilt, and only reserving them for a more judicial examination and proceeding.

58. In the crowd near the door there was found upon the ground a hat, in the inside whereof there was sewed upon the crown a paper in which were writ four or five lines of that declaration made by the House of Commons in which they had styled the duke an enemy to the kingdom, and under it a short ejaculation or two towards a prayer. It was easily enough concluded that the hat belonged to the person who had committed the murder: but the difficulty remained still as great who that person should be, for the writing discovered nothing of the name; and whosoever it was, it was very natural to believe that he was gone far enough not to be found without a hat.

59. In this hurry, one running one way, another another

1628 way, a man was seen walking before the door very composedly without a hat; whereupon one [cried][1] out, 'Here is the fellow that killed the duke!' upon which others ran thither, every body asking, 'Which is he? Which is he?' To which the man without the hat very composedly answered, 'I am he.' Thereupon some of those who were most furious suddenly ran upon the man with their drawn swords to kill him; but others, who were at least equally concerned in the loss and in the sense of it, defended him; himself with open arms very calmly and cheerfully exposing himself to the fury and swords of the most enraged, as being very willing to fall a sacrifice to their sudden anger, rather than to be kept for that deliberate justice which he knew must be exercised upon him.

60. He was now known enough, and easily discovered to be that Felton, whom we mentioned before, who had been a lieutenant in the army. He was quickly carried into a private room by the persons of the best condition, some whereof were in authority, who first thought fit so far to dissemble as to mention the duke only as grievously wounded, but not without hope of recovery. Upon which Felton smiled, and said, he knew well he had given him a blow that had determined all those hopes. Being then asked (which was the discovery principally aimed at) by whose instigation he had performed that horrid and wicked act, he answered them with a wonderful assurance, that they should not trouble themselves in that inquiry; that no man living had credit or power enough in him to have engaged or disposed him to such an action; that he had never intrusted his purpose and resolution to any man; that it proceeded only from himself and the impulsion of his own conscience; and that the motives thereunto would appear if his hat were found, in which he had therefore fixed them because he believed it very probable that he might perish in the attempt. He confessed that he had come to the town but the night before, and had kept his lodging that he might not be seen or taken notice of; and that he had come that morning to the duke's lodging, where he had waited at the door for his

[1] ['crying,' MS.]

coming out; and when he found by the motions within that he 1628
was coming, he drew to the door, as if he held up the hanging; and sir Thomas Fryer speaking at that time to the duke, as hath been said, and being of a much lower stature than the duke, who a little inclined towards him, he took the opportunity of giving the blow over his shoulder.

61. He spake very frankly of what he had done, and bore the reproaches of those who spake to him with the temper of a man who thought he had not done amiss. But after he had been in prison some time, where he was treated without any rigour and with humanity enough, and before, and at, his trial, which was about four months after, at the King's Bench bar, Nov. 27.
he behaved himself with great modesty and wonderful repentance, being, as he said, convinced in his conscience that he had done wickedly, and asked the pardon of the King, the duchess, and of all the duke's servants, whom he acknowledged to have offended; and very earnestly besought the judges that he might have his hand struck off with which he had performed that impious act, before he should be put to death.

62. The Court was too near Portsmouth, and too many courtiers upon the place, to have this murder (so wonderful in the nature and circumstances, the like whereof had not been known in England in many ages) long concealed from the King. His majesty was at the public prayers of the church, when sir John Epsly [Hippesly] came into the room, with a troubled countenance, and, without any pause in respect to the exercise they were performing, went directly to the King and whispered in his ear what had fallen out. His majesty continued unmoved, and without the least change in his countenance, till prayers were ended; when he suddenly departed to his chamber, and threw himself upon his bed, lamenting with much passion and with abundance of tears the loss he had of an excellent servant and the horrid manner in which he had been deprived of him; and he continued in this melancholic and discomposure of mind many days.

63. Yet the manner of his receiving the news in public, when it was first brought to him in the presence of so many,

1628 (who knew or saw nothing of the passion he expressed upon his retreat,) made many men to believe that the accident was not very ungrateful; at least, that it was very indifferent to him; as being rid of a servant very ungracious to the people, and the prejudice to whose person exceedingly obstructed all overtures made in Parliament for his service.

64. And upon this observation persons of all conditions took great license in speaking of the person of the duke, and dissecting all his infirmities, believing they should not thereby incur any displeasure of the King. In which they took very ill measures; for from that time almost to the time of his own death the King admitted very few into any degree of trust who had ever discovered themselves to be enemies to the duke, or against whom he had ever manifested a notable prejudice. And sure never any prince manifested more a most lively regret for the loss of a servant than his majesty did for this great man, in his constant favour and kindness to his wife and children, in a wonderful solicitous care for the payment of his debts, (which, it is very true, were contracted for his service, though in such a manner that there remained no evidence of it, nor was any of the duke's officers intrusted with the knowledge of it, nor was there any record of it but in his majesty's own generous memory,) and in all offices of grace towards his servants.

65. After all this, and such a transcendent mixture of ill fortune, of which as ill conduct and great infirmities seem to be the foundation and source, this great man was a person of a noble nature and generous disposition, and of such other endowments as made him very capable of being a great favourite to a great King. He understood the arts and artifices of a court, and all the learning that is professed there, exactly well. By long practice in business, under a master that discoursed excellently, and surely knew all things wonderfully, and took much delight in indoctrinating his young unexperienced favourite, who, he knew, would be always looked upon as the workmanship of his own hands, he had obtained a quick conception and apprehension of business, and

had the habit of speaking very gracefully and pertinently. He was of a most flowing courtesy and affability to all men who made any address to him; and so desirous to oblige them, that he did not enough consider the value of the obligation or the merit of the person he chose to oblige; from which much of his misfortune resulted. He was of a courage not to be daunted, which was manifested in all his actions, and his contests with particular persons of the greatest reputation; and especially in his whole demeanour at the Isle of Rees, both at the landing and upon the retreat: in both which no man was more fearless, or more ready to expose himself to the brightest dangers. His kindness and affection to his friends was so vehement that it was so many marriages for better and worse, and so many leagues offensive and defensive; as if he thought himself obliged to love all his friends, and to make war upon all they were angry with, let the cause be what it would. And it cannot be denied that he was an enemy in the same excess, and prosecuted those he looked upon as his enemies with the utmost rigour and animosity, and was not easily induced to a reconciliation. And yet there were some examples of his receding in that particular. And in highest passion he was so far from stooping to any dissimulation whereby his displeasure might be concealed and covered till he had attained his revenge, (the low method of courts,) that he never endeavoured to do any man an ill office before he first told him what he was to expect from him, and reproached him with the injuries he had done, with so much generosity that the person found it in his power to receive further satisfaction in the way he would choose for himself.

66. And in this manner he proceeded with the earl of Oxford, a man of great name in that time, and whom he had endeavoured by many civil offices to make his friend, and who seemed equally to incline to the friendship. When he discovered (or, as many thought, but suspected) that the earl was entered into some cabal in Parliament against him, he could not be dissuaded by any of his friends to whom he imparted his resolution; but, meeting the earl the next day, he took him

aside, and, after many reproaches for such and such ill offices he had done, and for breaking his word towards him, he told him he would rely no longer on his friendship, nor should he expect any farther friendship from him, but, on the contrary, he would be for ever his enemy, and do him all the mischief he could. The earl, (who, as many thought, had not been faulty towards him,) was as great-hearted as he, and thought the very suspecting him to be an injury unpardonable, [and,] without any reply to the particulars, declared that he neither cared for his friendship nor feared his hatred; and from thence avowedly entered into the conversation and confidence of those who were always awake to discover and solicitous to pursue any thing that might prove to his disadvantage; which was of evil consequence to the duke, the earl being of the most ancient of the nobility, and a man of great courage, and of a family which had in no time swerved from its fidelity to the Crown.

67. Sir Francis Cottington, who was secretary to the Prince, and not grown courtier enough to dissemble well his opinion, had given the duke offence before the journey into Spain, as is before touched upon, and improved that prejudice after his coming thither by disposing the Prince all he could to the marriage of the Infanta; and by his behaviour after his return in justifying to King James, who had a very good opinion of him, the sincerity of the Spaniard in the treaty of the marriage, that they did in truth desire it, and were fully resolved to gratify his majesty in the business of the Palatinate, and only desired in the manner of it, to gratify the Emperor and the Duke of Bavaria all he could, which would take up very little time. All which being so contrary to the duke's positions and purposes, his displeasure to Cottington was sufficiently manifest, and King James was no sooner dead, and the new officers and orders made, but the profits and privileges which had used to be continued to him who had been secretary till some other promotion were all retrenched. And when he was one morning attending in the privy lodgings, as he was accustomed to do, one of the Secretaries of State

came to him, and told him that it was the King's pleasure that he should no more presume to come into those rooms, which was the first instance he had received of the King's disfavour. And at the same instant the duke entered into that quarter, upon which sir Francis Cottington addressed himself towards [him,] and desired he would give him leave to speak to him: upon which the duke inclining his ear, moved to a window from the company; the other told him that he received every day fresh marks of his severity; mentioned the message which had been then delivered to him, and desired only to know whether it could not be in his power, by all dutiful application and all possible service, to be restored to the good opinion his grace had once vouchsafed to have of him, and to be admitted to serve him. The duke heard him without the least commotion, and with a countenance serene enough, and then answered him, that he would deal very clearly with him; that it was utterly impossible to bring that to pass which he had proposed: that he was not only firmly resolved never to trust him, or to have to do with [him,] but that he was, and would be always, his declared enemy; and that he would do always whatever should be in his power to ruin and destroy him, and of this he might be most assured; without mentioning any particular ground for his so heightened displeasure.

68. The other very calmly replied to him, (as he was master of an incomparable temper,) that since he was resolved never to do him good, that he hoped, from his justice and generosity, that he would not suffer himself to gain by his loss; that he had laid out by his command so much money for jewels and pictures, which he had received: and that, in hope of his future favour, he had once presented a suit of hangings to him which cost him 800*l.*, which he hoped he would cause to be restored to him, and that he would not let him be so great a loser by him. The duke answered, he was in the right; that he should the next morning go to Oliver, (who was his receiver,) and give him a particular account of all the money due to him, and he should presently pay him; which was

done the next morning accordingly, without the least abatement of any of his demands. (69.) And he was so far reconciled to him before his death, that being resolved to make a peace with Spain, to the end he might more vigorously pursue the war with France, (to which his heart was most passionately fixed,) he sent for Cottington to come to him, and, after conference with him, told him the King would send him ambassador thither, and that he should attend him at Portsmouth for his despatch.

70. His single misfortune was, (which indeed was productive of many greater,) that he never made a noble and a worthy friendship with a man so near his equal that he would frankly advise him, for his honour and true interest, against the current, or rather the torrent, of his impetuous passions; which was partly the vice of the time, when the Court was not replenished with great choice of excellent men, and partly the vice of the persons who were most worthy to be applied to, and looked upon his youth and his obscurity as obligations upon him to gain their friendships by extraordinary application. Then his ascent was so quick that it seemed rather a flight than a growth; and he was such a darling of fortune that he was at the top before he was seen at the bottom; for the gradation of his titles was the effect, not cause, of his first promotion, and, as if he had been born a favourite, he was supreme the first month he came to Court; and it was want of confidence, not of credit, that he had not all at first which he obtained afterwards, never meeting with the least obstruction from his setting out till he was as great as he could be: so that he wanted dependants before he thought he could want coadjutors. Nor was he very fortunate in the election of those dependants, very few of his servants having been ever qualified enough to assist or advise him, and were intent only upon growing rich under [him,] not upon their master's growing good as well as great: insomuch as he was throughout his fortune a much wiser man than any servant or friend he had.

71. Let the fault or misfortune be what and whence it will, it may very reasonably be believed that if he had been blessed

with one faithful friend who had been qualified with wisdom and integrity, that great person would have committed as few faults, and done as transcendent worthy actions, as any man who shined in such a sphere in that age in Europe. For he was of an excellent nature, and of a capacity very capable of advice and counsel. He was in his nature just and candid, liberal, generous, and bountiful; nor was it ever known that the temptation of money swayed him to do an unjust or unkind thing. And though he left a very great inheritance to his heirs, considering the vast fortune he inherited by his wife, (the sole daughter and heir of Francis earl of Rutland,) he owed no part of it to his own industry or solicitation, but to the impatient humour of two kings his masters, who would make his fortune equal to his titles, and the one above other men as the other was. And he considered it no otherwise than as theirs, and left it at his death engaged for the Crown almost to the value of it, as is touched upon before[1].

72. If he had an immoderate ambition, with which he was charged, and is a weed (if it be a weed) apt to grow in the best soils, it does not appear that it was in his nature, or that he brought it with him to the Court, but rather found it there, and was a garment necessary for that air. Nor was it more in his power to be without promotion and titles and wealth, than for a healthy man to sit in the sun in the brightest dog-days and remain without any warmth. He needed no ambition who was so seated in the hearts of two such masters.

73. There are two particulars, which lie heaviest upon his memory, either of them aggravated by circumstances very important, and which administer frequent occasions by their effects to be remembered.

74. The first, his engaging his old unwilling master and the kingdom in the war with Spain, (not to mention the bold journey thither, or the breach of that match,) in a time 1623
when the Crown was so poor, and the people more inclined to a bold inquiry how it came to be so than dutifully to

[1] [§ 64.]

1623 provide for its supply: and this only upon personal animosities between him and the duke of Olivarez, the sole favourite in that Court, and those animosities from very trivial provocations, and flowed indeed from no other fountain than that the nature and education of Spain restrained men from that gaiety of humour and from the frolic humour to which the Prince his Court was more inclined. And Olivarez had been heard to censure very severely the duke's familiarity and want of respect towards the Prince, (a crime monstrous to the Spaniard,) and had said that 'if the Infanta did not as soon as she was married suppress that license, she would herself quickly undergo the mischief of it:' which gave the first alarm to the duke to apprehend his own ruin in that union, and accordingly to use all his endeavours to break and prevent it; and from that time he took all occasions to quarrel with and reproach the Conde duke.

75. One morning the King desired the Prince to take the air, and to visit a little house of pleasure he had (the Prado) four miles from Madrid, standing in a forest, where he used sometimes to hunt; and the duke not being ready, the King and the Prince and the Infante Don Carlo went into the coach, the King likewise calling the earl of Bristol into that coach to assist them in their conversation, the Prince then not speaking any Spanish; and left Olivarez to follow in the coach with the duke of Buckingham. When the duke came, they went into the coach, accompanied with others of both nations, and proceeded very cheerfully towards overtaking the King: but when upon the way he heard that the earl of Bristol was in the coach with the King, he brake out into great passion, reviled the Conde duke as the contriver of the affront, reproached the earl of Bristol for his presumption in taking the place which in all respects belonged to him who was joined with him as ambassador extraordinary, and came last from the presence of their master; and resolved to go out of the coach and to return to Madrid. Olivarez easily discovered by the disorder and the noise and the tune that the duke was very angry, without comprehending the cause of it; only found that

the earl of Bristol was often named with such a tone that he began to suspect what in truth might be the cause. And thereupon he commanded a gentleman, who was on horseback, with all speed to overtake the King's coach and desire that it might stay, intimating that the duke had taken some displeasure, the ground whereof was not enough understood. Upon which the King's coach stayed; and when the other approached within distance, the Conde duke alighted, and acquainted the King with what he had observed and what he conceived. The King himself alighted, made great compliments to the duke, the earl of Bristol excusing himself upon the King's command that he should serve as a truckman[1]. In the end Don Carlo went into the coach with the favourite, and the duke and the earl of Bristol went with the King and the Prince; and so they prosecuted their journey, and after dinner returned in the same manner to Madrid. 1623

76. This, with all the circumstances of it, administered wonderful occasion of discourse in the court and country, there having never been such a comet seen in that hemisphere, and their submiss reverence to their princes being a vital part of their religion.

77. There were very few days passed afterwards in which there was not some manifestation of the highest displeasure and hatred in the duke against the other. And when the Conde duke had some *eclaircissement* with the duke, in which he made all the protestations of his sincere affection and his desire to maintain a clear and faithful friendship with him, which he conceived might be in some degree useful to both their masters, the other received his protestations with all contempt, and declared, with a very unnecessary frankness, that he would have no friendship with him.

78. And the next day after the King returned from accompanying the Prince towards the sea,—where, at parting, there were all possible demonstrations of mutual affection between

[1] [i. e. *truchman = dragoman.* In the old editions the word 'interpreter' was substituted as an explanation; in the last editions 'trustman' was given as the reading of the MS.]

1623 them, and the King caused a fair pillar to be erected in the place where they last embraced each other, with inscriptions of great honour to the Prince; there being then in that Court not the least suspicion or imagination that the marriage would not succeed, insomuch that afterwards, upon the news from Rome that the dispensation was granted, the Prince having left the *desponsorios* in the hands of the earl of Bristol, in which the Infante Don Carlo was constituted the Prince's proxy to marry the Infanta on his behalf, she was treated as Princess of Wales, the Queen gave her place, and the English ambassador had frequent audiences, as with his mistress, in which he would not
Sept. 13. be covered: yet, I say, the very next day after the Prince's departure from the King,—Mr. Clarke, one of the Prince's bedchamber who had formerly served the duke, was sent back to Madrid, upon pretence that somewhat was forgotten there, but in truth with orders to the earl of Bristol not to deliver the *desponsorios* (which by the articles he was obliged to do within fifteen days after the arrival of the dispensation) until he should receive further orders from the Prince, or King, after his return into England. (79.) Mr. Clarke was not to deliver this letter to the ambassador till he was sure the dispensation was come; of which he could not be advertised in the instant. But he lodging in the ambassador's house, and falling sick of a calenture which the physicians thought would prove mortal, he sent for the earl to come to his bedside, and delivered him the letter before the arrival of the dispensation, though long after it was known to be granted; upon which all those ceremonies were performed to the Infanta.

80. By these means, and by this method, this great affair, upon which the eyes of Christendom had been so long fixed, came to be dissolved, without the least mixture with, or contribution from, those amours which were afterwards so confidently discoursed of. For though the duke was naturally carried violently to those passions when there was any grace or beauty in the object, [yet [1]] the duchess of Olivarez, (of whom the talk was,) was then a woman so old, past children, of so abject a

[1] ['but,' MS.]

presence, in a word, so crooked and deformed, that she could 1623
neither tempt his appetite or magnify his revenge. And whatever he did afterwards in England was but *tueri opus*, and to prosecute the design he had, upon the reasons and provocations aforesaid, so long before contrived during his abode in Spain.

81. The other particular, by which he involved himself in so many fatal intricacies from which he could never extricate himself, was his running violently into the war with France, without any kind of provocation and upon a particular passion very unwarrantable. In his embassy in France—where his person and 1625
presence was wonderfully admired and esteemed, (and in truth it was a wonder in the eyes of all men,) and in which he appeared with all the lustre the wealth of England could adorn him with, and outshined all the bravery that Court could dress itself in, and overacted the whole nation in their own most peculiar vanities—he had the ambition to fix his eyes upon, and to dedicate his most violent affection to, a lady of a very sublime quality [1], and to pursue it with most importunate addresses: insomuch as when the King had brought the Queen his sister as far as he meant to do, and delivered her into the hands of the duke to be by him conducted into England, the duke, in his journey, after his departure from that Court, took a resolution once more to make a visit to that great lady, which he believed he might do with great privacy. But it was so easily discovered that provision was made for his reception, and if he had pursued his attempt he had been without doubt assassinated; of which he had only so much notice as served him to decline the danger [2]. But he swore, in the instant, that he would see and speak with that lady, in spite of the strength and power of France. And from the time that the Queen arrived in England, he took all the ways he could to undervalue and exasperate that Court and nation, by causing all those who fled into England from the justice and displeasure of

[1] [The Queen of France.]

[2] [Clarendon's account does not agree with that in French narratives, which say that Buckingham gained an interview. See S. R. Gardiner's *Hist. of Engl.* 1603–42, vol. v. p. 332; but also Nichols' *Hist. of Leic.* iii. 203.]

1625 that King to be received and entertained here, not only with ceremony and security, but with bounty and magnificence; and the more extraordinary the persons were, and the more notorious the King's displeasure was towards them, (as in that time there were very many lords and ladies of that *classis*,) the more respectively they were received and esteemed. He omitted no opportunity to incense the King against France, and to dispose him to assist the Huguenots, whom he likewise encouraged to give their King some trouble.

82. And, which was worse than all this, he took great pains to lessen the King's affection towards his young Queen, being exceedingly jealous lest her interest might be of force enough to cross his other designs: and, in this stratagem, he so far swerved from the instinct of his nature and his proper inclinations, that he, who was compounded of all the elements of affability and courtesy towards all kind of people, had brought himself to a habit of neglect, and even of rudeness, towards the Queen.

83. One day, when he unjustly apprehended that she had shewed some disrespect to his mother, in not going to her lodging at an hour she had intended to do, and was hindered by a very accident, he came into her chamber in much passion, and, after some expostulations rude enough, he told her she should repent it. And her majesty answering with some quickness, he replied insolently to her, that there had been queens in England who had lost their heads. And it was universally known that during his life the Queen never had any credit with the King with reference to any public affairs, and so could not divert the resolution of making a war with France.

84. The war with Spain had found the nation in a surfeit of a long peace, and in a disposition inclinable enough to war with that nation, which might put an end to an alliance the most ungrateful to them and which they most feared, and from whence no other damage had yet befallen them than a chargeable and unsuccessful voyage by sea without the loss of ships or men. But a war with France must be carried on at another rate and expense. Besides, the nation was weary and surfeited with the first before the second was entered upon; and it was

very visible to wise men that when the general trade of the 1625
kingdom, from whence the supports of the Crown principally resulted, should be utterly extinguished with France as it was with Spain, and interrupted or obstructed with all other places, (as it must be in a war, how prosperously soever carried on,) the effects would be very sad, and involve the King in many perplexities. And it could not but fall out accordingly.

85. Upon the return from Cales without success, though all the ships, and, upon the matter, all the men, were seen, (for, though some had so surfeited in the vineyards and with the wines that they had been left behind, the generosity of the Spaniards had sent them all home again ;) and though by that fleet's putting in at Plymouth, near two hundred miles from London, so that there could be very imperfect relations, and the news of yesterday was contradicted the morrow ; besides, the expedition had been undertaken by the advice of the Parliament, and with an universal approbation of the people, so that nobody could reasonably speak loudly against it ; yet, notwithstanding all this, the ill success was heavily borne, and imputed to ill conduct ; the principal officers of the fleet and army divided amongst themselves, and all united in their murmurs against the general, the lord viscount Wimbledon, who, though an old officer in Holland, was never thought equal to the enterprise, and had in truth little more of a Holland officer than the pride and formality. In a word, there was indisposition enough quickly discovered against the war itself, that it was easily discerned it would not be pursued with the vigour it was entered into, nor carried on by any cheerful sure contributions of money from the public.

86. But the running into this war with France, from whence 1627
the Queen was so newly and so joyfully received, without any colour of reason, or so much as the formality of a declaration from the King containing the ground and provocation and end of it, according to custom and obligation in the like cases, (for it was observed that the declaration which was published was in the duke's own name, who went admiral and general of the expedition,) opened the mouths of all men to inveigh against it,

1627 with all bitterness, and the sudden ill effects of it, manifested in the return of the fleet to Portsmouth, within such a distance of London that nothing could be concealed of the loss sustained, in which most noble families found a son or brother or near kinsman wanting, without such circumstances of their deaths which are usually the consolations and recompenses of such catastrophes. The retreat had been a rout without an enemy, and the French had their revenge by the disorder and confusion of the English themselves; in which great numbers of noble and ignoble were crowded to death, or drowned, without the help of an enemy: and as many thousands of the common men were wanting, so few of those principal officers who had attained to a name in war, and by whose courage and experience any war was to be conducted, could be found.

87. The effects of this overthrow did not at first appear in whispers, murmurs, and invectives, as the retirement from Cales had done, but produced such a general consternation over the face of the whole nation, as if all the armies of France and Spain were united together, and had covered the land: mutinies in the fleet and army, under pretence of their want of pay, (whereof no doubt there was much due to them,) but in truth out of detestation of the service and the authority of the duke. The counties throughout the kingdom were so incensed, and their affections poisoned, that they refused to suffer the soldiers to be billeted upon them; by which they often underwent greater inconveniences and mischiefs than they endeavoured to prevent. The endeavour to raise new men for the recruit of the army by pressing (the only method that had ever been practised upon such occasions) found opposition in many places, and the authority by which it was done not submitted to, as illegal; which produced a resort to martial law, by which many were executed; which raised an asperity in the minds of more than of the common people. And this distemper was so universal, the least spark still meeting with combustible matter enough to make a flame, that all wise men looked upon it as the prediction of the destruction and desolation that would follow; nor was there a serenity in the countenance of any

man, who had age and experience enough to consider things to come, but only in those who wished the destruction of the duke, and thought it could not be purchased at too dear a price, and looked upon this flux of humours as an inevitable way to bring it to pass. 1627

88. And it cannot be denied that from these two wars so wretchedly entered into, and the circumstances before mentioned and which flowed from thence, the duke's ruin took its date, and never left pursuing him till that execrable act upon his person; the malice whereof was contracted by that sole evil spirit of the time, without any partner in the conspiracy. And the venom of that season increased and got vigour, until, from one license to another, it proceeded till the nation was corrupted to that monstrous degree that it grew satiated and weary of the government itself, under which it had enjoyed a greater measure of felicity than any nation was ever possessed of, and which could never be continued to them but under the same. And as these calamities originally sprung from the inordinate appetite and passion of this young man, under the too much easiness of two indulgent masters, and the concurrence of a thousand other accidents; so[1], if he had lived longer, (for he was taken away at the age of thirty-six years,) the observation and experience he had, which had very much improved his understanding, with the greatness of his spirit and jealousy of his master's honour, (to whom his fidelity was superior to any temptation,) might have repaired many of the inconveniences which he had introduced, and would have prevented the mischiefs which were the natural effects of those causes.

89. There were many stories scattered abroad at that time of several prophecies and predictions of the duke's untimely and violent death. And amongst the rest there was one which was upon a better foundation of credit than usually such discourses are founded upon. There was an officer [Nich. Towse] in the King's wardrobe in Windsor Castle, of a good reputation for honesty and discretion, and then about the age of fifty years or more. This man had in his youth been bred in a school in the parish[2] 1628

[1] ['so that,' MS.]

[2] [Billesdon, Leicestershire.]

1628 where sir George Villiers, the father of the duke, lived, and had been much cherished and obliged in that season of his age by the said sir George, whom afterwards he never saw. About six months before the miserable end of the duke of Buckingham, about midnight, this man being in his bed at Windsor, where his office was, and in very good health, there appeared to him on the side of his bed a man of a very venerable aspect, who drew the curtains of his bed, and, fixing his eyes upon him, asked him if he knew him. The poor man, half dead with fear and apprehension, being asked the second time whether he remembered him, and having in that time called to his memory the presence of sir George Villiers, and the very clothes he used to wear, in which at that time he seemed to be habited, he answered that he thought him to be that person. He replied, he was in the right; that he was the same, and that he expected a service from him; which was, that he should go from him to his son the duke of Buckingham, and tell him, if he did not do somewhat to ingratiate himself to the people, or, at least, to abate the extreme malice they had against him, he would be suffered to live [but] a short time. And after this discourse he disappeared; and the poor man, if he had been at all waking, slept very well till morning, when he believed all this to be a dream, and considered it no otherwise.

90. The next night, or shortly after, the same person appeared to him again in the same place, and about the same time of the night, with an aspect a little more severe than before, and asked him whether he had done as he had required him: and perceiving he had not, gave him very sharp reprehensions; told him, he expected more compliance from him; and that, if he did not perform his commands he should enjoy no peace of mind, but should be always pursued by him; upon which he promised him to obey him. But the next morning, waking out of a good sleep, though he was exceedingly perplexed with the lively representation of all particulars to his memory, he was willing still to persuade himself that he had only dreamed; and considered that he was a person at such a distance from the duke that he knew not how to find any admission to his presence, much

less had any hope to be believed in what he should say. And so, with great trouble and unquietness, he spent some time in thinking what he should do, and in the end resolved to do nothing in the matter. 1628

91. The same person appeared to him the third time, with a terrible countenance, and bitterly reproaching him for not performing what he had promised to do. The poor man had by this time recovered the courage to tell him, That in truth he had deferred the execution of his commands upon considering how difficult a thing it would be for him to get any access to the duke, having acquaintance with no person about him; and if he could obtain admission to him, he should never be able to persuade him that he was sent in such a manner, but he should at best be thought to be mad, or to be set on and employed, by his own or the malice of other men, to abuse the duke; and so he should be sure to be undone. The person replied, as he had done before, That he should never find rest till he should perform what he required; and therefore he were better to despatch it: that the access to his son was known to be very easy, and that few men waited long for him: and for the gaining him credit, he would tell him two or three particulars, which he charged him never to mention to any person living but to the duke himself; and he should no sooner hear them, but he would believe all the rest he should say; and so, repeating his threats, he left him.

92. And in the morning the poor man, more confirmed by the last appearance, made his journey to London, where the Court then was. He was very well known to sir Ralph Freeman, one of the Masters of Requests, who had married a lady that was nearly allied to the duke, and was himself well received by him. To him this man went; and though he did not acquaint him with all particulars, he said enough to him to let him see there was somewhat extraordinary in it, and the knowledge he had of the sobriety and discretion of the man made the more impression in him. He desired that by his means he might be brought to the duke, to such a place and in such a manner as should be thought fit: that he had much

1628 to say to him, and of such a nature as would require much privacy, and some time and patience in the hearing. Sir Ralph promised he would speak first with the duke of him, and then he should understand his pleasure; and accordingly, in the first opportunity, he did inform him of the reputation and honesty of the man, and then what he desired, and of all he knew of the matter. And the duke, according to his usual openness and condescension, told him that he was the next day early to hunt with the King; that his horses should attend him at Lambeth Bridge, where he would land by five of the clock in the morning; and if the man attended him there at that hour, he would walk and speak with him as long as should be necessary. Sir Ralph carried the man with him the next morning, and presented him to the duke at his landing, who received him courteously, and walked aside in conference near an hour, none but his own servants being at that hour in that place, and they and sir Ralph at such a distance, that they could not hear a word, though the duke sometimes spake, and with great commotion; which sir Ralph the more easily observed and perceived because he kept his eyes always fixed upon the duke, having procured the conference upon somewhat he knew there was of extraordinary. And the man told him in his return over the water, that when he mentioned those particulars which were to gain him credit, the substance whereof he said he durst not impart to him, the duke's colour changed, and he swore he could come to that knowledge only by the devil, for that those particulars were only known to himself, and to one person more, who, he was sure, would never speak of it.

93. The duke pursued his purpose of hunting; but was observed to ride all the morning with great pensiveness, and in deep thoughts, without any delight in the exercise he was upon; and before the morning was spent left the field, and alighted at his mother's lodging in Whitehall, with whom he was shut up for the space of two or three hours, the noise of their discourse frequently reaching the ears of those who attended in the next rooms: and when the duke left her, his countenance

appeared full of trouble with a mixture of anger; a countenance 1628
that was never before observed in him in any encounters with her: towards her he had ever a most profound reverence. And the countess herself (for though she was married to a private gentleman, sir Thomas Compton, [she] had been created countess of Buckingham, shortly after her son had first assumed that title) was at the duke's leaving her found overwhelmed in tears, and in the highest agony imaginable. Whatever there was of all this, it is a notorious truth that when the news of the duke's murder (which happened within few months after) was brought to his mother, she seemed not in the least degree surprised, but received it as if she had foreseen it; nor did afterwards express such a degree of sorrow as was expected from such a mother for the loss of such a son.

94. This digression, much longer than it was intended, may not be thought altogether unnatural in this discourse. For as the mention of his death was very proper in the place and upon the occasion it happened to be made, so, upon that occasion, it seemed the more reasonable to enlarge upon the nature and character and fortune of the duke; as being the best mirror to discern the temper and spirit of that age, and the rather and because all the particulars before set down are found in the papers and memorials of the person whose life is the subject of this discourse[1], who was frequently heard to relate the wonderful concurrence of many fatal accidents to disfigure the government of two excellent kings, under whom their kingdoms in general prospered exceedingly, and enjoyed a longer peace, a greater plenty, and in fuller security, than had been in any former age; and who was so far from any acrimony to the memory of that great favourite, (whose death he had lamented at that time, and endeavoured to vindicate him from some libels and reproaches which vented after his death,) that he took delight in remembering his many virtues, and to magnify his affability and most obliging nature. And

[1] [As mentioned above, this part of the History is extracted from the MS. of Clarendon's *Life*.]

1628 he kept the memorial of that prediction[1], (though no man looked upon relations of that nature with less reverence or consideration,) the substance of which (he said) was confirmed to him by sir Ralph Freeman, and acknowledged by some servants of the duke's who had the nearest trust with him, and who were informed of much of it before the murder of the duke.

95. And because there was so total a change of all counsels, and in the whole face of the Court, upon the death of that omnipotent favourite; all thoughts of war being presently laid aside, (though there was a faint looking towards the relief of Rochelle by the fleet that was ready, under the command of the earl of Lindsey,) and the provisions for peace and plenty taken to heart; it will not be unuseful nor unpleasant to enlarge the digression, (before a return to the proper subject of the discourse,) by a prospect of the constitution of the Court after that bright star was shot out of the horizon; who were the chief ministers that had the principal management of public affairs in Church and State; and how equal their faculties and qualifications were for those high transactions; in which mention shall be only made of those who were then in the highest trust; there being at [that] time no ladies who had disposed themselves to intermeddle in business: and hereafter, when that activity began and made any progress, it will be again necessary to take a new survey of the Court upon that alteration.

96. Sir Thomas Coventry was then Lord Keeper of the Great Seal of England, and newly made a baron. He was a son of the robe, his father having been a judge in the court of the Common Pleas; who took great care to breed his son, though his first-born, in the study of the common law, by which himself had been promoted to that degree, and in which, in the society of the Inner Temple, his son made a notable progress by an early eminence in practice and learning: insomuch as he was Recorder of London, Solicitor-General, and King's At-

[1] [No paper, however, respecting it has been met with among Clarendon's MSS. But see Nichols' *Hist. of Leicestershire*, iii. 209–10.]

torney, before he was forty years of age. A rare ascent! All 1628
which offices he discharged with great abilities and singular reputation of integrity. In the first year after the death of 1625
king James he was advanced to be Keeper of the Great Seal of England (the natural advancement from the office of Attorney-General) upon the removal of the bishop of Lincoln, who, though a man of great wit and good scholastic learning, was generally thought so very unequal to the place that his remove was the only recompense and satisfaction that could be made for his promotion. And yet it was enough known that the disgrace proceeded only from the private displeasure of the duke of Buckingham. The lord Coventry enjoyed this place with an universal reputation (and sure justice was never better administered) for the space of about sixteen years, even to his death, some months before he was sixty years of age; which 1640, Jan.
was another important circumstance of his felicity, that great office being so slippery that no man had died in it before for near the space of forty years. Nor had his successors, for some time after him, much better fortune. And he himself had use of all his strength and skill (as he was an excellent wrestler) to preserve himself from falling, in two shocks: the one given him by the earl of Portland, Lord High Treasurer of England; the other by the marquis of Hamilton, who had the greatest power over the affections of the King of any man of that time.

97. He was a man of wonderful gravity and wisdom; and understood not only the whole science and mystery of the law at least equally with any man who had ever sate in that place, but had a clear conception of the whole policy of the government both of Church and State, which, by the unskilfulness of some well-meaning men, justled each the other too much.

98. He knew the temper and disposition and genius of the kingdom most exactly; saw their spirits grow every day more sturdy and inquisitive and impatient; and therefore naturally abhorred all innovations which he foresaw would produce ruinous effects. Yet many who stood at a distance thought that he was not active and stout enough in the opposing those inno-

1628 vations. For though, by his place, he presided in all public councils, and was most sharp-sighted in the consequence of things, yet he was seldom known to speak in matters of state, which he well knew were for the most part concluded before they were brought to that public agitation; never in foreign affairs, which the vigour of his judgment could well comprehend, nor indeed freely in any thing but what immediately and plainly concerned the justice of the kingdom; and in that, as much as he could, he procured references to the judges. Though in his nature he had not only a firm gravity, but a severity and even some morosity, (which his children and domestics had evidence enough of;) [yet][1] it was so happily tempered that his courtesy and affability towards all men was so transcended, so much without affectation, that it marvellously reconciled [him] to all men of all degrees, and he was looked upon as an excellent courtier, without receding from the native simplicity of his own manner.

99. He had, in the plain way of speaking and delivery, without much ornament of elocution, a strange power of making himself believed, the only justifiable design of eloquence: so that though he used very frankly to deny, and would never suffer any man to depart from him with an opinion that he was inclined to gratify when in truth he was not, (holding that dissimulation to be the worst of lying,) yet the manner of it was so gentle and obliging, and his condescension such, to inform the persons whom he could not satisfy, that few departed from him with ill will and ill wishes.

100. But then this happy temper and these good faculties rather preserved him from having many enemies, and supplied him with some well-wishers, than furnished him with any fast and unshaken friends; who are always procured in courts by more ardour and more vehement professions and applications than he would suffer himself to be entangled with. So that he was a man rather exceedingly liked than passionately loved: insomuch that it never appeared that he had any one friend in the Court of quality enough to prevent or divert any dis-

[1] ['but,' MS.]

advantage he might be exposed to. And therefore it is no 1628
wonder, nor to be imputed to him, that he retired within himself as much as he could, and stood upon his defence, without making desperate sallies against growing mischiefs, which he knew well he had no power to hinder, and which might probably begin in his own ruin. To conclude; his security consisted very much in the little credit he had with the King, and he died in a season most opportune, and in which a wise man would have prayed to have finished his course, and which in truth crowned his other signal prosperity in this world.

101. Sir Richard Weston had been advanced to the white staff, to the office of Lord High Treasurer of England, some months before the death of the duke of Buckingham; and had, in that short time, so much disobliged him, at least disappointed his expectation, that many who were privy to the duke's most secret purposes did believe that if he had outlived that voyage in which he was engaged he would have removed him, and made another treasurer. And it is very true that great office too had been very slippery, and not fast to those who had trusted themselves in it: insomuch as there were at that time five noble persons alive, who had all succeeded one another immediately in that unsteady charge, without any other person intervening: the earl of Suffolk; the lord viscount Mandeville, afterwards earl of Manchester; the earl of Middlesex; and the earl of Marlborough, who was removed under pretence of his age and disability for the work, (which had been a better reason against his promotion so few years before that his infirmities were very little increased,) to make room for the present officer; who, though advanced by the duke, may properly be said to be established by his death.

102. He was a gentleman of a very good and ancient extraction by father and mother. His education had been very good amongst books and men. After some years' study of the law in the Middle Temple, and at an age fit to make observations and reflections, out of which that which is commonly called experience is constituted, he travelled into foreign parts,

1628 and was acquainted in foreign parts[1]. [After this] he betook himself to the Court, and lived there some years, at that distance, and with that awe, as was agreeable to the modesty of that age, when men were seen some time before they were known, and well known before they were preferred, or durst pretend to be preferred.

103. He spent the best part of his fortune (a fair one, that he inherited from his father) in his attendance at Court, and involved his friends in securities with him, who were willing to run his hopeful fortune, before he received the least fruit from it but the countenance of great men and those in authority, the most natural and most certain stairs to ascend by.

1622 104. He was then sent ambassador to the archdukes Albert and
1620 Isabella, into Flanders; and to the Diet in Germany, to treat about the restitution of the Palatinate; in which negotiation he behaved himself with great prudence, and with the concurrent testimony of a wise man from all those with whom he treated, princes and ambassadors, and upon his return was
1620 made a Privy Councillor, and Chancellor of the Exchequer in the place of the lord Brooke, who was either persuaded, or put, out of the place; which, being an office of honour and trust, is likewise an excellent stage for men of parts to tread and expose themselves upon, and where they have occasion of all natures to lay out and spread all their faculties and qualifications most for their advantage. He behaved himself very well in this function, and appeared equal to it; and carried himself so luckily in Parliament that he did his master much service, and preserved himself in the good opinion and acceptation of the House; which is a blessing not indulged to many by those high powers. He did swim in those troubled and boisterous waters in which the duke of Buckingham rode as admiral with a good grace, when very many who were about him were drowned, or forced on shore with shrewd hurts and bruises: which shewed he knew well how and when to use his limbs and

[1] [The text in the MS. is confused in this sentence, the words 'he travelled into foreign parts' being inserted after the words 'Middle Temple,' as well as after the word 'constituted.']

strength to the best advantage, sometimes only to avoid sinking, 1628
and sometimes to advance and get ground. And by this dexterity he kept his credit with those who could do him good, and lost it not with others who desired the destruction of those upon whom he most depended.

105. He was made Lord Treasurer in the manner and at the time mentioned before, upon the removal of the earl of Marlborough, and few months before the death of the duke. The former circumstance, which is often attended by compassion towards the degraded and prejudice towards the promoted, brought him no disadvantage: for, besides the delight that season had in changes, there was little reverence towards the person removed; and the extreme visible poverty of the Exchequer sheltered that province from the envy it had frequently created, and opened a door for much applause to be the portion of a wise and provident minister. For the other, of the duke's death, though some who knew the duke's passions and prejudice, (which often produced rather sudden indisposition than obstinate resolution,) believed he would have been shortly cashiered, as so many had lately been; and so that the death of his founder was a greater confirmation of him in the office than the delivery of the white staff had been: many other wise men, who knew the Treasurer's talent in removing prejudice and reconciling himself to wavering and doubtful affections, believed that the loss of the duke was very unseasonable, and that the awe or apprehension of his power and displeasure was a very necessary allay for the impetuosity of the new officer's nature, which needed some restraint and check, for some time, to his immoderate pretences and appetite of power.

106. He did indeed appear on the sudden wonderfully elated, and so far threw off his old affectation to please some very much and to displease none, in which art he had excelled, that in few months after the duke's death he found himself to succeed him in the public displeasure and in the malice of his enemies, without succeeding him in his credit at Court or in the affection of any considerable dependants. And yet, though he was not superior to all other men in the affection, or rather resignation,

1628 of the King, so that he might dispense favours and disfavours according to his own election, he had a full share in his master's esteem, who looked upon him as a wise and able servant and worthy of the trust he reposed in him, and received no other advice in the large business of his revenue; nor was any man so much his superior as to be able to lessen him in the King's affection by his power. So that he was in a post in which he might have found much ease and delight if he could have contained himself within the verge of his own province, which was large enough, and of such an extent that he might, at the same time, have drawn a great dependence upon him of very considerable men, and appeared a very useful and profitable minister to the King, whose revenue had been very loosely managed during the late years, and might by industry and order have been easily improved: and no man better understood what method was necessary towards that good husbandry than he.

107. But, I know not by what frowardness in his stars, he took more pains in examining and inquiring into other men's offices than in the discharge of his own; and not so much joy in what he had as trouble and agony for what he had not. The truth is, he had so vehement a desire to be the sole favourite, that he had no relish of the power he had: and in that contention he had many rivals, who had credit enough to do him ill offices, though not enough to satisfy their own ambition; the King himself being resolved to hold the reins in his own hands, and to put no further trust in others than was necessary for the capacity they served in. Which resolution in his majesty was no sooner believed, and the Treasurer's pretence taken notice [of,] than he found the number of his enemies exceedingly increased, and others to be less eager in the pursuit of his friendship. And every day discovered some infirmities in him, which, being before known to few and not taken notice of, did now expose him both to public reproach and to private animosities; and even his vices admitted those contradictions in them that he could hardly enjoy the pleasant fruit of any of them. That which first exposed him to the public jealousy, which is always attended with public reproach, was the con-

current suspicion of his religion. His wife and all his daughters were declared of the Roman religion: and though himself and his sons sometimes went to church, he was never thought to have zeal for it; and his domestic conversation and dependants, with whom only he used entire freedom, were all known Catholics, and were believed to be agents for the rest. And yet, with all this disadvantage to himself, he never had reputation and credit with that party, who were the only people of the kingdom who did not believe him to be of their profession. For the penal laws (those only excepted which were sanguinary, and even those sometimes let loose) were never more rigidly executed, nor had the Crown ever so great a revenue from them, as in his time; nor did they ever pay so dear for the favours and indulgences of his office towards them. 1628

108. No man had greater ambition to make his family great, or stronger designs to leave a great fortune to it. Yet his expenses were so prodigiously great, especially in his house, that all the ways he used for supply, which were all that occurred, could not serve his turn; insomuch that he contracted so great debts, (the anxiety whereof, he pretended, broke his mind, and restrained that intentness and industry which was necessary for the due execution of his office,) that the King was pleased twice to pay his debts; at least, towards it, to disburse forty thousand pounds in ready money out of his Exchequer. Besides, his majesty gave him a whole forest, Chute forest in Hampshire, and much other land belonging to the Crown; which was the more taken notice of and murmured against, because, being the chief minister of the revenue, he was particularly obliged, as much as in him lay, to prevent and even oppose such disinherison, and because, under that obligation, he had, avowedly and sourly, crossed the pretences of other men, and restrained the King's bounty from being exercised almost to any. And he had that advantage, (if he had made the right use of it,) that his credit was ample enough (seconded by the King's own experience and observation and inclination) to retrench very much of the late unlimited expenses, and especially those of bounties, which from the death

1628 of the duke ran in narrow channels, which never so much overflowed as towards himself who stopped the current to other men.

109. He was of an imperious nature, and nothing wary in disobliging and provoking other men, and had too much courage in offending and incensing them: but, after having offended and incensed them, he was of so unhappy a feminine temper that he was always in a terrible fright and apprehension of them.

110. He had not that application and submission and reverence for the Queen as might have been expected from his wisdom and breeding, and often crossed her pretences and desires with more rudeness than was natural to him. Yet he was impertinently solicitous to know what her majesty said of him in private, and what resentments she had towards him. And when by some confidants (who had their ends upon him from those offices) he was informed of some bitter expressions fallen from her majesty, he was so exceedingly afflicted and tormented with the sense of it, that, sometimes by passionate complaints and representations to the King, sometimes by more dutiful addresses and expostulations with the Queen in bewailing his misfortunes, he frequently exposed himself, and left his condition worse than it was before: and the *eclaircissement* commonly ended in the discovery of the persons from whom he had received his most secret intelligence.

111. He quickly lost the character of a bold, stout and magnanimous man, which he had been long reputed to be in worse times; and, in his most prosperous season, fell under the reproach of being a man of big looks and of a mean and abject spirit.

112. There was a very ridiculous story at that time in the mouths of many, which, being a known truth, may not be unfitly mentioned in this place, as a kind of illustration of the humour and nature of the man. Sir Julius Cæsar was then Master of the Rolls, and had, inherent in his office, the indubitable right and disposition of the Six-Clerks' places; all which he had, for many years, upon any vacancy bestowed to such persons as he thought fit. One of those places was become

void, and designed by the old man to his son Robert [Cæsar[1]], 1628
a lawyer of a good name, and exceedingly beloved. The Treasurer (as he was vigilant in such cases) had notice of the clerk's expiration so soon that he procured the King to send a message to the Master of the Rolls, expressly forbidding him to dispose of that Six-Clerk's place till his majesty's pleasure should be further made known to him. It was the first command of that kind that had been heard of, and [was] felt by the old man very sensibly. He was indeed very old, and had outlived most of his friends, so that his age was an objection against him; many persons of quality being dead who had, for recompense of services, procured the reversion of his office. The Treasurer found it no hard matter so far to terrify him that (for the King's service, as was pretended) he admitted for a Six-Clerk a person recommended by him, (Mr. Tern[2], a dependant upon him,) who paid six thousand pounds ready money; which, (poor man!) he lived to repent in a gaol. This work being done at the charge of the poor old man, who had been a Privy Councillor from the entrance of King James, had been Chancellor of the Exchequer, and had served in other offices, the depriving him of his right made a great noise: and the condition of his son, (his father being not like to live to have the disposal of another office in his power,) who, as was said before, was generally beloved and esteemed, was argument of great compassion, and was lively and successfully represented to the King himself; who was graciously pleased to promise that, if the old man chanced to die before any other of the Six-Clerks, that office when it should fall should be conferred on his son, whosoever should succeed him as Master of the Rolls: which might well be provided for; and the Lord Treasurer obliged himself (to expiate for the injury) to procure some declaration to that purpose under his majesty's sign manual; which, however easy to be done, he long forgot or neglected.

[1] ['Seymour,' MS.]

[2] [There was no one among the Six-Clerks of this name; it is apparently a mistake for *Carne*. There was a clerk in the Navy Office named Nath. Terne.]

1628 113. One day the earl of Tillibarne, [Tullibardine,] who was nearly allied to Mr. Cæsar, and much his friend, being with the Treasurer, passionately asked him whether he had done that business? To whom he answered, with a seeming trouble, that he had forgotten it, for which he was heartily sorry; and if he would give him a little in writing, for a memorial, he would put it amongst those which he would despatch with the King that afternoon. The earl presently writ in a little paper, *Remember Cæsar*, and gave it to him; and he put it into that little pocket where, he said, he kept all his memorials which were first to be transacted.

114. Many days passed, and Cæsar never thought of. At length, when he changed his clothes, and he who waited on him in his chamber, according to custom, brought him all the notes and papers which were left in those he had left off, which he then commonly perused, when he found this little billet, in which was only written *Remember Cæsar*, and which he had never read before, he was exceedingly confounded, and knew not what to make or think of it. He sent for his bosom friends, with whom he most confidently consulted, and shewed the paper to them, the contents whereof he could not conceive, but that it might probably have been put into his hand (because it was found in that enclosure wherein he put all things of moment which were given him) when he was in motion, and in the privy lodgings in the Court. After a serious and melancholic deliberation, it was agreed that it was the advertisement from some friend, who durst not own the discovery: that it could signify nothing but that there was a conspiracy against his life, by his many and mighty enemies: and they all knew Cæsar's fate by contemning or neglecting such animadversions. And therefore they concluded that he should pretend to be indisposed, that he might not stir abroad all that day, nor that any might be admitted to him but persons of undoubted affections; that at night the gate should be shut early, and the porter enjoined to open it to nobody, nor to go himself to bed till the morning; and that some servants should watch with him, lest violence might be used at the gate; and that they themselves and some other gentlemen would sit up all the

night, and attend the event. Such houses are always in the 1628
morning haunted by early suitors; but it was very late before any could now get admittance into the house, the porter having quitted some of that arrear of sleep which he owed to himself for his night's watching; which he excused to his acquaintance by whispering to them, 'that his lord should have been killed that night, which had kept all the house from going to bed.' And shortly after, the earl of Tillibarne asking him, whether he had *remembered Cæsar*, the Treasurer quickly recollected the ground of his perturbation, and could not forbear imparting it to his friends, who likewise affected the communication, and so the whole jest came to be discoursed.

115. To conclude, all the honours the King conferred upon him (as he made him a baron, then an earl, and knight of the Garter, and above this, gave a young beautiful lady, nearly allied to him and to the crown of Scotland, in marriage to his eldest son[1]) could not make him think himself great enough. Nor could all the King's bounties, nor his own large accessions, raise a fortune to his heir; but, after six or eight years spent in outward opulency, and inward murmur and trouble that it was no greater, after vast sums of money and great wealth gotten, and rather consumed than enjoyed, without any sense or delight in so great prosperity, with the agony that it was no greater, he died unlamented by any, bitterly mentioned by most, 1634
who never pretended to love him, and severely censured and complained of by those who expected most from him, and deserved best of him; and left a numerous family, which was in a short time worn out, and yet outlived the fortune he left behind him.

116. The next greatest councillor of state was the Lord Privy Seal, who was likewise of a noble extraction, and of a family at that time very fortunate. His grandfather had been Lord Chief Justice, and left by King Harry the Eighth one of his executors of his last will. He was the younger son of his father, and brought up in the study of the law in the Middle Temple, and had passed through, and, as it were, made a progress through, all the eminent degrees of law and in the state.

[1] [Frances, daughter of Esmé, third duke of Lennox, in June, 1632.]

1628 At the death of Queen Elizabeth, or thereabouts, he was Recorder of London; then the King's Sergeant-at-law; afterwards Chief Justice of the King's Bench. Before the death of King James, by the favour of the duke of Buckingham, he was raised
1620 to the place of Lord High Treasurer of England; and within less than a year afterwards, by the withdrawing of that favour, he was reduced to the empty title of President of the Council, and, to allay the sense of the dishonour, created viscount Mandeville. He bore the diminution very well, as he was a wise man and of an excellent temper, and quickly recovered so much grace that he was made Lord Privy Seal and earl of Manchester, and enjoyed that office to his death; whilst he saw many removes and degradations in all the other offices of which he had been possessed.

117. He was a man of great industry and sagacity in business, which he [delighted[1]] in exceedingly; and prese.ved so great a vigour of mind, even to his death, (when he was very near eighty years of age,) that some who had known him in his younger years did believe him to have much quicker parts in his age than before. His honours had grown faster upon him than his fortunes, which made him too solicitous to advance the latter by all the ways which offered themselves; whereby he exposed himself to some inconvenience and many reproaches, and became less capable of serving the public by his counsels and authority, which his known wisdom, long experience, and confessed gravity and ability, would have enabled him to have done; most men considering more the person that speaks, than the thing he says. And he was unhappily too much used as a check upon the lord Coventry; and when the other perplexed their counsels and designs with inconvenient objections in law, his authority, who had trod the same paths, was still called upon; and he did too frequently gratify their unjustifiable designs and pretences: a guilt and mischief all men who are obnoxious, or who are thought to be so, are liable to, and can hardly preserve themselves from. But his virtues so far weighed

[1] ['delighting,' MS.]

down his infirmities that he maintained a good general reputation and credit with the whole nation and people; he being always looked upon as full of integrity and zeal to the Protestant religion as it was established by law, and of unquestionable loyalty, duty, and fidelity to the King; which two qualifications will ever gather popular breath enough to fill the sails, if the vessel be competently provided with ballast. He died in a lucky time, in the beginning of the Rebellion, when neither religion, or loyalty, or law, or wisdom, could have provided for any man's security. 1628 1642 Nov. 7.

118. The earl of Arundel was the next to the officers of state who, in his own right and quality, preceded the rest of the Council. He was a man supercilious and proud, who lived always within himself and to himself, conversing little with any who were in common conversation; so that he seemed to live as it were in another nation, his house being a place to which all men resorted who resorted to no other place; strangers, or such who affected to look like strangers and dressed themselves accordingly. He resorted sometimes to the Court, because there only was a greater man than himself; and went thither the seldomer, because there was a greater man than himself. He lived toward all favourites and great officers without any kind of condescension; and rather suffered himself to be ill treated by their power and authority (for he was always in disgrace, and once or twice prisoner in the Tower) than to descend in making any application to them. 1621 1626

119. And upon these occasions he spent a great interval of his time in several journeys into foreign parts, and with his wife and family had lived some years in Italy, the humour and manners of which nation he seemed most to like and approve, and affected to imitate. He had a good fortune by descent, and a much greater from his wife, who was the sole daughter upon the matter (for neither of the two sisters left any issue) of the great house of Shrewsbury: but his expenses were without any measure, and always exceeded very much his revenue. He was willing to be thought a scholar, and to understand the most mysterious parts of antiquity, because he made a wonderful

1628 and costly purchase of excellent statues whilst he was in Italy and Rome, (some whereof he could never obtain permission to remove from Rome, though he had paid for them,) and had a rare collection of the most curious medals; whereas in truth he was only able to buy them, never to understand them; and as to all parts of learning he was most illiterate, and thought no other part of history considerable but what related to his own family; in which, no doubt, there had been some very memorable persons. It cannot be denied that he had in his person, in his aspect and countenance, the appearance of a great man, which he preserved in his gait and motion. He wore and affected a habit very different from that of the time, such as men had only beheld in the pictures of the most considerable men; all which drew the eyes of most, and the reverence of many, towards him, as the image and representative of the primitive nobility and native gravity of the nobles, when they had been most venerable. But this was only his outside, his nature and true humour being so much disposed to levity and vulgar delights, which indeed were very despicable and childish. He was never suspected to love anybody, nor to have the least propensity to justice, charity, or compassion; so that, though he got all he could, and by all the ways he could, and spent much more than he got or had, he was never known to give any thing, nor in all his employments—for he had employments of great profit as
1636 well as honour, being sent ambassador extraordinary into Germany for the treaty of that general peace, for which he had great appointments, and in which he did nothing of the least importance; and, which is more wonderful, he was afterwards made general of the army raised for Scotland, and received full pay as such; and in his own office of Earl Marshal more money was drawn from the people by his authority and pretence of jurisdiction than had ever been extorted by all the officers precedent—yet, I say, in all his offices and employments, never man used or employed by him ever got any fortune under him, nor did ever any man acknowledge any obligation to him. He was rather thought to be without religion than to incline to this or that party of any. He would have been a proper instru-

ment for any tyranny, if he could have [had] a man tyrant 1628
enough to have been advised by him; and had no other affection for the nation or the kingdom than as he had a great share in it, in which, like the great leviathan, he might sport himself, from which he withdrew himself, as soon as he discerned the repose thereof was like to be disturbed, and died in 1646
Italy, under the same doubtful character of religion in which he Oct. 4.
lived.

120. William earl of Pembroke was next, a man of another mould and making, and of another fame and reputation with all men, being the most universally loved and esteemed of any man of that age; and, having a great office in the Court, [he] made the Court itself better esteemed and more reverenced in the country. And as he had a great number of friends of the best men, so no man had ever the wickedness to avow himself to be his enemy. He was a man very well bred, and of excellent parts, and a graceful speaker upon any subject, having a good proportion of learning, and a ready wit to apply it and enlarge upon it; of a pleasant and facetious humour, and a disposition affable, generous, and magnificent. He was master of a great fortune from his ancestors, and had a great addition by his wife, (another daughter and heir of the earl of Shrewsbury,) which he enjoyed during his life, she outliving him: but all served not his expense, which was only limited by his great mind and occasions to use it nobly.

121. He lived many years about the Court before in it, and never by it; being rather regarded and esteemed by King James than loved and favoured; and after the foul fall of the earl of Somerset, he was made Lord Chamberlain of the King's 1615
house more for the Court's sake than his own; and the Court appeared with the more lustre because he had the government of that province. As he spent and lived upon his own fortune, so he stood upon his own feet, without any other support than of his proper virtue and merit; and lived towards the favourites with that decency as would not suffer them to censure or reproach his master's judgment and election, but as with men of his own rank. He was exceedingly beloved in the Court,

1628 because he never desired to get that for himself which others laboured for, but was still ready to promote the pretences of worthy men. And he was equally celebrated in the country for having received no obligations from the Court which might corrupt or sway his affections and judgment; so that all who were displeased and unsatisfied in the Court or with the Court were always inclined to put themselves under his banner, if he would have admitted them; and yet he did not so reject them as to make them choose another shelter, but so far to depend on him that he could restrain them from breaking out beyond private resentments and murmurs.

122. He was a great lover of his country, and of the religion and justice which he believed could only support it; and his friendships were only with men of those principles. And as his conversation was most with men of the most pregnant parts and understanding, so towards any who needed support or encouragement, though unknown, if fairly recommended to him, he was very liberal. And sure never man was planted in a Court that was fitter for that soil, or brought better qualities with him to purify that air.

123. Yet his memory must not be so flattered that his virtues and good inclinations may be believed without some allay of vice, and without being clouded with great infirmities, which he had in too exorbitant a proportion. He indulged to himself the pleasures of all kinds, almost in all excesses. Whether out of his natural constitution, or for want of his domestic content and delight, (in which he was most unhappy, for he paid much too dear for his wife's fortune by taking her person into the bargain,) he was immoderately given up to women. But therein he likewise retained such a power and jurisdiction over his very appetite, that he was not so much transported with beauty and outward allurements, as with those advantages of the mind as manifested an extraordinary wit and spirit and knowledge, and administered great pleasure in the conversation. To these he sacrificed himself, his precious time, and much of his fortune. And some who were nearest his trust and friendship were not without apprehension that

his natural vivacity and vigour of mind began to lessen and decline by those excessive indulgences. 1628

124. About the time of the death of King James, or presently after, he was made Lord Steward of his majesty's house, that the staff of Chamberlain might be put into the hands of his brother, the earl of Mountgomery, upon a new contract of friendship with the duke of Buckingham; after whose death he had likewise such offices of his as he most affected, of honour and command, none of profit, which he cared not for. And within two years after, he died himself of an apoplexy, after a full and cheerful supper. 1625 1630 Apr. 10.

125. A short story may not be unfitly inserted, it being very frequently mentioned by the person whose life is here undertaken to be set down[1], and who, at that time, being on his way to London, met at Maidenhead some persons of quality, of relation or dependance upon the earl of Pembroke, sir Charles Morgan, commonly called General Morgan, who had commanded an army in Germany and defended Stoad, [Stade,] Dr. Feild, then bishop of St. David's, and Dr. Chafin, the earl's then chaplain in his house, and much in his favour. At supper one of them drank a health to the Lord Steward; upon which another of them said, that he believed his lord was at that time very merry, for he had now outlived the day which his tutor Sandford had prognosticated upon his nativity he would not outlive; which he had done now, for that was his birthday, which had completed his age to fifty years. The next morning, by the time they came to Col[n]ebrook, they met with the news of his death. 1627-8

126. He died exceedingly lamented by all qualities of men, and left many of his servants and dependants owners of good estates, raised out of his employments and bounty. Nor had his heir cause to complain: for, though his expenses had been very magnificent, (and it may be the less considered, and his providence the less, because he had no child to inherit,) insomuch as he left a great debt charged upon the estate, yet, considering the wealth he left in jewels, plate, and furniture,

[1] [*viz.*, Clarendon himself.]

1628 and the estate his brother enjoyed in the right of his wife (who was not fit to manage it herself) during her long life, he may be justly said to have inherited as good an estate from him as he had from his father, which was one of the best in England.

127. The earl of Mountgomery, who was then Lord Chamberlain of the household, and now earl of Pembroke, and the earl of Dorset, were likewise of the Privy Council; men of very different talents and qualifications. The former being a young man, scarce of age, at the entrance of King James, had the good fortune, by the comeliness of his person, his skill, and indefatigable industry in hunting, to be the first who drew the King's eyes towards him with affection, which was quickly so far improved that he had the reputation of a favourite.
1605 And before the end of the first or second year, he was made gentleman of the King's bedchamber and earl of Mountgomery; which did the King no harm, for, besides that he received the King's bounty with more moderation than other men who succeeded him, he was generally known and as generally esteemed, being the son and younger brother to the earl of Pembroke, who liberally supplied his expense beyond what his annuity from his father would bear.

128. He pretended to no other qualifications than to understand horses and dogs very well, which his master loved him the better for, (being at his first coming into England very jealous of those who had the reputation of great parts,) and to be believed honest and generous, which made him many friends and left him no enemy. He had not sat many years in that sunshine when a new comet appeared in Court, Robert Carr, a Scotchman, quickly afterwards declared favourite: upon whom the King no sooner fixed his eyes but the earl, without the least murmur or indisposition, left all doors open for his entrance; (a rare temper, and could proceed from nothing but his great perfection in loving field-sports;) which the King received as so great an obligation that he always afterwards loved him in the second place, and commended him to his son at his death as a man to be relied on in point

of honesty and fidelity; though it appeared afterwards that he was not strongly built, nor had sufficient ballast to endure a storm; of which more will be said hereafter. 1628

129. The other, the earl of Dorset, was, to all intents, principles, and purposes, another man; his person beautiful, and graceful, and vigorous; his wit pleasant, sparkling, and sublime; and his other parts of learning and language of that lustre that he could not miscarry in the world. The vices he had were of the age, which he was not stubborn enough to contemn or resist. He was a younger brother, grandchild to the great Treasurer Buckhurst, created at the King's first entrance earl of Dorset, who outlived his father [1], and took care and delight in the education of his grandchild, and left him a good support for a younger brother, besides a wife who was heir to a fair fortune. As his person and parts were such as are before mentioned, so he gave them full scope, without restraint; and indulged to his appetite all the pleasures that season of his life (the fullest of jollity and riot of any that preceded or succeeded) could tempt or suggest to him.

130. He entered into a fatal quarrel, upon a subject very unwarrantable, with a young nobleman of Scotland, the lord Bruce; upon which they both transported themselves into Flanders, and, attended only by two surgeons placed at a distance and under an obligation not to stir but upon the fall of one of them, they fought under the walls of Antwerp [2], where the lord Bruce fell dead upon the place, and sir Edward Sackville (for so he was then called), being likewise hurt, retired into the next monastery which was at hand. Nor did this miserable accident (which he did always exceedingly lament) make that thorough impression upon him but that he indulged still too much to those importunate and insatiate appetites, even of that individual person that had so lately embarked him in that desperate enterprise; being too much tinder not to be inflamed with those sparks. 1613 Aug.

[1] [A mistake. Lord Buckhurst died 19 Apr. 1608, and his son, the second earl of Dorset, father of the earl noticed in the text, 25 Feb. in the following year.]

[2] [Near Bergen-op-Zoom. Collins' *Peerage*, 1812, vol. ii. p. 154.]

1628 131. His elder brother did not enjoy his grandfather's title many years before it descended, for want of heirs male, to the younger brother. But in those few years, by an excess of expense in all the ways to which money can be applied, he so entirely consumed almost the whole great fortune that de-
1624 scended to him, that, when he was forced to leave the title to his younger brother, he left upon the matter nothing to him to support it; which exposed him to many difficulties and inconveniences. Yet his known great parts, and the very good general reputation he had (notwithstanding his defects) acquired, (for, as he was eminent in the House of Commons whilst he sat there, so he shined in the House of Peers when he came to move in that sphere,) inclined King James to call him to his Privy Council before his death. And if he had not too much cherished his natural constitution and propensity, and been too much grieved and wrung by an uneasy and strait fortune, he would have been an excellent man of business; for he had a very sharp, discerning spirit, and was a man of an obliging nature, much honour, and great generosity, and of most entire fidelity to the Crown.

132. There were two other persons of much authority in the Council, because of great name in the Court, as they deserved to be; being, without doubt, two as accomplished courtiers as were found in the palaces of all the princes in Europe, and the greatest (if not too great) improvers of that breeding and those qualifications with which courts use to be adorned; the earl of Carlisle, and earl of Holland; both, (though men of pleasure,) by their long experience in Court, well acquainted with the affairs of the kingdom, and better versed in those abroad than any other who sat then at that board.

133. The former, a younger brother of a noble family in Scotland, came into the kingdom with King James as a gentleman; under no other character than a person well qualified by his breeding in France, and by study in humane learning, in which he bore a good part in the entertainment of the King, who much delighted in that exercise; and by this means, and notable gracefulness in his behaviour and affability,

in which he excelled, he had wrought himself into a particular 1628
interest with his master, and into greater affection and esteem with the whole English nation than any other of that country by choosing their friendships and conversation, and really preferring it to any of his own: insomuch as, upon the King's making him gentleman of his bedchamber and viscount Don- 1618
caster, and by his royal mediation (in which office he was a most prevalent prince), he obtained the sole daughter and heir of the lord Denny to be given him in marriage; by 1604
which he had a fair fortune in land provided for any issue he should raise, and which his son by that lady lived long to enjoy.

134. He ascended afterwards, and with the expedition he desired, to the other conveniences of the Court. He was groom of the stole, and an earl, and knight of the Garter; and married 1617
a beautiful young lady, daughter to the earl of Northumberland [1], without any other approbation of her father, or concernment in it, than suffering him and her to come into his presence after they were married. He lived rather in a fair intelligence than any friendship with the favourites, having credit enough with his master to provide for his own interest, and he troubled not himself for that of other men; and had no other consideration of money than for the support of his lustre; and whilst he could do that he cared not for money, having no bowels in the point of running in debt or borrowing all he could.

135. He was surely a man of the greatest expense in his own person of any in the age he lived, and introduced more of that expense in the excess of clothes and diet than any other man; and was indeed the original of all those inventions from which others did but transcribe copies. He had a great universal understanding, and could have taken as much delight in any other way if he had thought any other as pleasant and worth his care. But he found business was attended with more rivals and vexation, and, he thought, with much less pleasure and not more innocence.

[1] [Lucy, daughter of Henry Percy, ninth Earl of Northumberland. She was married 6 Nov. 1617, during her father's imprisonment in the Tower.]

1628 136. He left behind him the reputation of a very fine gentleman and a most accomplished courtier; and after having spent, in a very jovial life, above four hundred thousand pounds, which, upon a strict computation, he received from the Crown, he left not a house or acre of land to be remembered by. And when he had in his prospect (for he was very sharp-sighted, and saw as far before him as most men) the gathering together of that cloud in Scotland which shortly after covered 1636 both kingdoms, he died with as much tranquillity of mind to Apr. 25. all appearance as used to attend a man of more severe exercise of virtue, and as little apprehension of death, which he expected many days.

137. The earl of Holland was a younger son of a noble house, and a very fruitful bed, which divided a numerous issue between two great fathers; the eldest, many sons and daughters to the lord Rich; the younger, of both sexes to Moun[t]joy earl of Devonshire, who had been more than once married to the mother[1]. The reputation of his family gave him no great advantage in the world, though his eldest brother was earl of Warwick and owner of a great fortune, and his younger earl of Newport, of a very plentiful revenue likewise. He, after some time spent in France, betook himself to the war in Holland, which he intended to have made his profession; where, after he had made two or three campaigns, according to the custom of the English volunteers, he came in the leisure of the winter to visit his friends in England and the Court, that shined then in the plenty and bounty of King James, and about the time of the infancy of the duke of Buckingham's favour, to whom he grew in a short time very acceptable. But his friendship was more entire to the earl of Carlisle, who was more of his nature and humour, and had a generosity more applicable at that time to his fortune and his ends; and it was thought by many who

[1] [Penelope Devereux, daughter of the second earl of Essex, was first engaged in marriage to Charles Blount, lord Mountjoy, but afterwards was actually married to Robert, lord Rich; deserting him, she lived in adultery with Blount, to whom finally, after divorce from her husband, she was married by Laud, 26 Dec. 1605. This explains the obscure words in the text, 'who had been,' &c., which were omitted in the old editions.]

stood within view that for some years he supported himself upon the familiarity and friendship of the other; which continued mutually between them very many years, with little interruption, to their death. 1628

138. He was a very handsome man, of a lovely and winning presence and gentle conversation, by which he got so easy an admission into the Court and grace of King James that he gave over the thought of further intending the life of a soldier. He took all the ways he could to endear himself to the duke and to his confidence, and wisely declined the receiving any grace or favour but as his donation; above all, avoided the suspicion that the King had any kindness for him upon any account but of the duke, whose creature he desired to be esteemed, though the earl of Carlisle's friend. And he prospered so well in that pretence that the King scarce made more haste to advance the duke than the duke did to promote the other.

139. He first preferred him to a wife, the daughter and heir of [Sir Walter] Cope, by whom he had a good fortune, and, amongst other things, the manor and seat of Kensington, of which he was shortly after made baron. And he had quickly 1622
so entire a confidence in him that he prevailed with the King to put him about his son the Prince of Wales, and to be a gentleman of his bedchamber, before the duke himself had reason to promise himself any proportion of his highness's grace and protection. He was then made earl of Holland, captain of 1624
the Guard, knight of the Order, and of the Privy Council; sent the first ambassador into France to treat the marriage with the Queen, or, rather, privately to treat about the marriage before he was ambassador. And when the duke went to the Isle of Ree, he trusted the earl of Holland with the command of that army with which he was to be recruited and assisted.

140. And in this confidence, and in this posture, he was left by the duke when he died; and, having the advantage of the Queen's good opinion and favour, (which the duke neither had or cared for,) he made all possible approaches towards the obtaining his trust and succeeding him in his power, or, rather, that the Queen might have solely that power, and he only be

1628 subservient to her. And upon this account he made a continual war upon the earl of Portland, the Treasurer, and all others who were not gracious to the Queen, or desired not the increase of her authority. And in this state, and under this protection, he received every day new obligations from the King and great bounties, and continued to flourish above any man in the Court whilst the weather was fair: but the storm did no sooner arise but he changed so much, and declined so fast from the honour he was thought to be master of, that he fell into that condition which there will hereafter be too much cause to mention and to enlarge upon.

141. The two Secretaries of State (which were not in those days officers of that magnitude they have been since, being only to make despatches upon the conclusion of councils, not to govern, or preside in, those councils) were sir John Cooke, who, upon the death of sir Albert Mourton, was, from being Master
1625 of Requests, preferred to be Secretary of State; and sir Dudley Carleton, who, from his employment in Holland, was put into
1628 the place of the lord Conway, who, for age and incapacity, was at last removed from the Secretary's office which he had exercised for many years with very notable insufficiency; so that King James was wont pleasantly to say that 'Stenny' (the duke of Buckingham) 'had given him two very proper servants, a secretary who could neither write or read, and a groom of his bedchamber who could not truss his points'; Mr. Clark having but one hand.

142. Of these two Secretaries, the former was a man of a very narrow education and a narrower nature; having continued long in the university of Cambridge, where he had gotten Latin learning enough, and afterwards in the country in the condition of a private gentleman, till after he was fifty years of age; when, upon some reputation he had for industry and diligence, he was called to some painful employment in the office of the Navy, which he discharged well, and afterwards to be Master of Requests, and then to be Secretary of State, which he enjoyed to a great age: and was a man rather unadorned with parts of vigour and quickness, and unendowed

with any notable virtues, than notorious for any weakness or defect of understanding, than transported with any vicious inclinations, appetite to money only excepted. His cardinal perfection was industry, and his most eminent infirmity covetousness. His long experience had informed him well of the state and affairs of England; but of foreign transactions, or the common interest of Christian princes, he was entirely ignorant and undiscerning. 1628

143. Sir Dudley Carleton was of a quite contrary nature, constitution, and education, and understood all that related to foreign employment, and the condition of other princes and nations, very well: but was utterly unacquainted with the government, laws, and customs of his own country, and the nature of the people. He was a younger son in a good gentleman's family, and bred in Christ Church in the university of Oxford, where he was a student of the foundation, and a young man of parts and towardly expectation. He went from thence early into France, and was soon after secretary to sir Ha[rry] Nevill, the ambassador there. He had been sent ambassador to Venice, where he resided many years with good reputation, and was no sooner returned from thence into England than he went ambassador into Holland to the States General, and resided there when that synod was assembled at Dort which hath given the world so much occasion since for uncharitable disputations which they were called together to prevent. Here the ambassador was not thought so equal a spectator, or assessor, as he ought to have been, but by the infusions he made into King James, and by his own activity, he did all he could to discountenance that party that was most learned and to raise the credit and authority of the other; which hath since proved as inconvenient and troublesome to their own country as to their neighbours. 1618

144. He was once more ambassador extraordinary in Holland after the death of King James, and was the last who was admitted to be present and to vote in the general assembly of the States under that character, of which great privilege the Crown had been possessed from a great part of the reign of Queen Elizabeth, and through the time of King James to that moment;

1628 which administered fresh matter of murmur for the giving up the towns of the Brill and Flushing, which had been done some years before by King James; without which men thought those States would not have had the courage so soon to have degraded the Crown of England from a place in their councils, which had prospered so eminently under the shadow of that
1625 power and support. As soon as he returned from Holland, he
Dec. was called to the Privy Council; and the making him Secretary of State, and a peer of the realm, when his estate was scarce visible, was the last piece of workmanship the duke of Buckingham lived to finish [1], who seldom satisfied himself with conferring a single obligation.

145. The duke had observed and discovered that the channel in which the church promotions had formerly run had been liable to some corruptions, at least to many reproaches, and therefore had committed the sole representation of those affairs, and the vacancies which should happen, to bishop Laud, then bishop of Bath and Wells and sworn of the Privy Council. And the King after his death continued that trust in the same hands, infinitely to the benefit and honour of the church, though, it may be, no less to the prejudice of the poor bishop; who, too secure in a good conscience and most sincere worthy intentions, (with which no man was ever more plentifully replenished,) thought he could manage and discharge the place and office of the greatest minister in the Court (for he was quickly made archbishop of Canterbury) without the least condescension to the arts and stratagems of the Court, and without any other friendship or support than what the splendour of a pious life and his unpolished integrity would reconcile to him; which was an unskilful measure in a licentious age, and may deceive a good man in the best that shall succeed; which exposed him to such a torrent of adversity and misery as we shall have too natural an occasion to lament in the following discourse, in which it will be more seasonable to enlarge upon his singular abilities and immense virtue.

146. There were more (too many more) honourable persons

[1] [Carleton was not appointed Secretary of State until Dec. 1628.]

in that time of the Privy Council whose faculties were not notorious enough to give them any great part in the affairs, nor had their advice much influence upon them. Other very notable men were shortly after added to the Council, who will anon be remembered in their proper places and seasons. What hath been said before contains information enough of the persons in employment, and the state of the Court and kingdom, when the duke of Buckingham was taken from it; by which, and the lively reflections upon the qualities and qualifications of the several persons in authority in Court and Council, no man could expect that the vigorous designs and enterprises undertaken by the duke would be pursued with equal resolution and courage; [but] that much the greater part of them would be wholly intent upon their own accommodations in their fortunes, (in which they abounded not,) and in their ease and pleasure, which they most passionately affected; having, (as hath been said,) no other consideration of the public than that no disturbance therein might interrupt their quiet in their own days: and that the rest, who had larger hearts and more public spirits, would extend their labour, activity, and advice, only to secure the empire at home by all peaceable arts and advancement of trade, which might gratify the people and fill the empty coffers of the impoverished Crown. To which end the most proper expedients were best understood by them, not to enlarge it by continuing and propagating the war, the ways and means whereof they knew not how to comprehend, and had all the desperate imaginations and jealousies of the end and necessary consequences of it. And so they all concurred (though in nothing else) in their unanimous advice to the King to put the quickest period he could possibly to the expensive war against the two crowns: and, his majesty following their advice, a peace was made with both, upon better terms and conditions and in less time than, from the known impatience of the war, could reasonably have been expected or hoped for. And after some short unquietness of the people, and unhappy assaults upon the prerogative by the Parliament, which produced its dissolution, and thereupon some froward and obstinate 1628

1628 disturbances in trade, there quickly followed so excellent a composure throughout the whole kingdom that the like peace and plenty and universal tranquillity for ten years was never enjoyed by any nation; and was the more visible and manifest in England by the sharp and bloody war suddenly entered into between the two neighbour crowns, and the universal conflagration that, from the inundation of the Swedes, covered the whole empire of Germany. And so we shall return to the discourse which this very long digression hath interrupted longer than was intended.

147[1]. That proclamation, mentioned before, at the breach of the last Parliament, and which inhibited all men to speak of another Parliament, produced two very ill effects of different natures. It afflicted many good men (who otherwise were enough scandalized at those distempers which had incensed the King) to that degree that it made them capable of receiving some impressions from those who were diligent in whispering and infusing an opinion into men that there was really an intention to alter the form of government, both in Church and State; 'of which,' said they, 'a greater instance cannot be given than this public declaring that we shall have no more Parliaments.' Then, this freedom from the danger of such an inquisition did not only encourage ill men to all boldness and license, but wrought so far upon men less inclined to ill (though not built for examples) that they kept not those strict guards upon themselves they used to do; especially, if they found themselves above the reach of ordinary justice, and feared not extraordinary, they by degrees thought that no fault which was like to find no punishment. Supplemental acts of state were made to supply defect of laws; and so tonnage and poundage, and other duties upon merchandises, were collected by order of the Board, which had been perversely refused to be settled by Act of Parliament, and new and greater impositions laid upon trade. Obsolete laws were revived and rigorously executed, wherein the subject might be taught how unthrifty a thing it was by too strict a detaining of what was his to put the King

[1] [Here the text is taken up again from the MS. of the *History*, p. 6.]

as strictly to inquire what was his own. And by this ill husbandry the King received a vast sum of money from all persons of quality, or indeed of any reasonable condition throughout the kingdom, upon the law of knighthood; which, though it had a foundation in right, yet, in the circumstances of proceeding, was very grievous, and no less unjust. 1628

148. Projects of all kinds, many ridiculous, many scandalous, all very grievous, were set on foot; the envy and reproach of which came to the King, the profit to other men, insomuch as, of two hundred thousand pound drawn from the subject by these ways in a year, scarce fifteen hundred came to the King's use or account. To recompense the damage the Crown sustained by the sale of the old lands, and by the grant of new pensions, the old laws of the forest are revived, by which not only great fines are imposed, but great annual rents intended and like to be settled by way of contract; which burden lighted most upon persons of quality and honour, who thought themselves above ordinary oppressions, and therefore like to remember it with more sharpness. Lastly, for a spring and magazine that should have no bottom, and for an everlasting supply of all occasions, a writ is framed in a form of law, and directed to the sheriff of every county of England, to provide a ship of war for the King's service, and to send it, amply provided and fitted, by such a day to such a place; and with that writ were sent to each sheriff instructions that, instead of a ship, he should levy upon his county such a sum of money, and return the same to the Treasurer of the Navy for his majesty's use, with direction in what manner he should proceed against such as refused: and from hence that tax had the denomination of *Ship-Money*, a word of a lasting sound in the memory of this kingdom; by which for some years really accrued the yearly sum of two hundred thousand pounds to the King's coffers, and was in truth the only project that was accounted to his own service. And, after the continued receipt of it for four years together, was at last (upon the refusal of a private gentleman to pay thirty shillings as his share) with great solemnity publicly argued before all the judges of England in the 1637

1637 Exchequer-chamber, and by the major part of them the King's right to impose asserted, and the tax adjudged lawful; which judgment proved of more advantage and credit to the gentleman condemned, Mr. Hambden, than to the King's service.

149. For the better support of these extraordinary ways, and to protect the agents and instruments who must be employed in them, and to discountenance and suppress all bold inquirers and opposers, the Council-table and Star-chamber enlarge their jurisdictions to a vast extent, 'holding' (as Thucydides[1] said of the Athenians) 'for honourable that which pleased, and for just that which profited;' and, being the same persons in several rooms, grew both courts of law to determine right and courts of revenue to bring money into the treasury; the Council-table by proclamations enjoining this to the people that was not enjoined by the law, and prohibiting that which was not prohibited; and the Star-chamber censuring the breach and disobedience to those proclamations by very great fines and imprisonment; so that any disrespect to acts of state or to the persons of statesmen was in no time more penal, and those foundations of right by which men valued their security, to the apprehension and understanding of wise men, never more in danger to be destroyed.

150. And here I cannot but again take the liberty to say, that the circumstances and proceedings in these new extraordinary cases, stratagems, and impositions, were very unpolitic, and even destructive to the services intended. As, if the business of ship-money, being an imposition by the State under the notion of necessity, upon a prospect of danger, which private persons could not modestly think themselves qualified to discern, had been managed in the same extraordinary way as the royal loan (which was the imposing the five subsidies after the second Parliament spoken of before) was, men would much easier have submitted to it; as it is notoriously known that pressure was borne with much more cheerfulness before the judgment for the King than ever it was after; men before pleasing themselves with doing somewhat for the King's service, as a testimony of their affection, which they were not

[1] [Lib. II. c. 53.]

bound to do; many really believing the necessity, and therefore 1637
thinking the burden reasonable; others observing that the access to the King was of importance, when the damage to them was not considerable; and all assuring themselves that when they should be weary, or unwilling to continue the payment, they might resort to the law for relief and find it. But when they heard this demanded in a court of law as a right, and found it by sworn judges of the law adjudged so, upon such grounds and reasons as every stander-by was able to swear was not law, and so had lost the pleasure and delight of being kind and dutiful to the King; and instead of giving were required to pay, and by a logic that left no man any thing which he might call his own; they no more looked upon it as the case of one man but the case of the kingdom, nor as an imposition laid upon them by the King but by the judges; which they thought themselves bound in conscience to the public justice not to submit to. It was an observation long ago by Thucydides[1], that 'men are much more passionate for injustice than for violence; because,' says he, 'the one, coming as from an equal, seems rapine; when the other, proceeding from one stronger, is but the effect of necessity.' So, when ship-money was transacted at the Council-board, they looked upon it as a work of that power they were always obliged to trust, and an effect of that foresight they were naturally to rely upon. Imminent necessity and public safety were convincing persuasions; and it might not seem of apparent ill consequence to them that upon an emergent occasion the regal power should fill up an hiatus, or supply an impotency in the law. But when they saw in a court of law, (that law that gave them title and possession of all that they had) apophthegms of state urged as elements of law; judges as sharp-sighted as Secretaries of State and in the mysteries of state; judgment of law grounded upon matter of fact of which there was neither inquiry or proof; and no reason given for the payment of the thirty shillings in question but what concluded the estates of all the standers-by; they had no reason to hope that that

[1] [Lib. I. c. 77.]

1637 doctrine or the preachers of it would be contained within any bounds. And it was no wonder that they who had so little reason to be pleased with their own condition, were not less solicitous for, or apprehensive of, the inconveniences that might attend any alteration.

151. And here the damage and mischief cannot be expressed, that the Crown and State sustained by the deserved reproach and infamy that attended the judges, by being made use of in this and the like acts of power; there being no possibility to preserve the dignity, reverence, and estimation of the laws themselves but by the integrity and innocency of the judges. And no question, as the exorbitancy of the House of Commons this Parliament hath proceeded principally from their contempt of the laws, and that contempt from the scandal of that judgment, so the concurrence of the House of Peers in that fury can be imputed to no one thing more than to the irreverence and scorn the judges were justly in; who had been always before looked upon there as the oracles of the law, and the best guides and directors of their opinions and actions: and they now thought themselves excused for swerving from the rules and customs of their predecessors (who in altering and making of laws, in judging of things and persons, had always observed the advice and judgment of those sages) in not asking questions of those whom they knew nobody would believe; and thinking it a just reproach upon them, (who out of their gentilesses had submitted the difficulties and mysteries of the law to be measured by the standard of general reason and explained by the wisdom of state,) to see those men make use of the license they had taught, and determine that to be law which they thought reasonable or found to be convenient. If these men had preserved the simplicity of their ancestors in severely and strictly defending the laws, other men had observed the modesty of theirs in humbly and dutifully obeying them.

152. And upon this consideration it is very observable that, in the wisdom of former times, when the prerogative went highest, (as very often it hath been swollen above any pitch we have seen it at in our times,) never any court of law, very

seldom any judge, or lawyer of reputation, was called upon to 1637
assist in an act of power; the Crown well knowing the moment of keeping those the objects of reverence and veneration with the people, and that though it might sometimes make sallies upon them by the prerogative, yet the law would keep the people from any invasion of it, and that the King could never suffer whilst the law and the judges were looked upon by the subject as the asyla for their liberties and security. And therefore you shall find the policy of many princes hath endured as sharp animadversions and reprehensions from the judges of the law, as their piety hath from the bishops of the church; imposing no less upon the people under the reputation of justice by the one, than of conscience and religion by the other.

153. To extend this consideration of the form and circumstance of proceeding in cases of an unusual nature a little farther:—As it may be most behoveful for princes in matters of grace and honour, and in conferring of favours upon their people, to transact the same as publicly as may be, and by themselves, or their ministers, to dilate upon it, and improve the lustre by any addition, or eloquence of speech; (where, it may be, every kind word, especially from the prince himself, is looked upon as a new bounty;) so it is as requisite in matters of judgment, punishment, and censure, upon things or persons, (especially when the case, in the nature of it, is unusual, and the rules in judging as extraordinary,) that the same be transacted as privately, and with as little noise and pomp of words, as may be. For (as damage is much easier borne and submitted to by generous minds than disgrace) in the business of the ship-money, and in many other cases in the Star-chamber and at Council-board, there were many impertinencies, incongruities, and insolencies, in the speeches and orations of the judges, much more offensive and much more scandalous than the judgments and sentences themselves; besides that men's minds and understandings were more instructed to discern the consequence of things, which before they considered not. As, undoubtedly, my lord Finch's speech in the Exchequer-chamber made ship-money much more abhorred and formidable than all the

1637 commitments by the Council-table and all the distresses taken by the shrieves in England; the major part of men (besides the common unconcernedness in other men's sufferings) looking upon those proceedings as a kind of applause to themselves, to see other men punished for not doing as they had done; which delight was quickly determined when they found their own interest by the unnecessary logic of that argument no less concluded than Mr. Hambden's.

154. And he hath been but an ill observer of the passages of those times we speak of who hath not seen many sober men, who have been clearly satisfied with the conveniency, necessity, and justice of many sentences, depart notwithstanding extremely offended and scandalized with the grounds, reasons, and expressions of those who inflicted those censures, when they found themselves, thinking to be only spectators of other men's sufferings, by some unnecessary influence or declaration in probable danger to become the next delinquent.

155. They who look back upon the Council-books of Queen Elizabeth, and the acts of the Star-chamber then, shall find as high instances of power and sovereignty upon the liberty and property of the subject as can be since given. But the art, order, and gravity of those proceedings (where short, severe, constant rules were set and smartly pursued, and the party only felt the weight of the judgment, not the passion of his judges) made them less taken notice of, and so less grievous to the public, though as intolerable to the person. Whereas, since those excellent rules of the Council-board were less observed, and debates (which ought to be in private, and in the absence of the party concerned, and thereupon the judgment of the Table to be pronounced by one, without the interposition of others or reply of the party,) suffered to be public, questions to be asked, passions discovered, and opinions to be promiscuously delivered; all advice, directions, reprehensions, and censures of those places grew to be in less reverence and esteem; so that, (besides the delay and interruption in despatch,) the justice and prudence of the counsels did not many times weigh down the infirmity and passion of the counsellors, and both suitors and

offenders returned into their country with such exceptions and 1637
arguments against persons as brought and prepared much prejudice to whatsoever should proceed from thence. And whatever excuses shall be made, or arguments given, that upon such extraordinary occasions there was a necessity of some pains and care to convince the understandings of men with the reasons and grounds of their proceeding, (which, if what was done had been only *ad informandam conscientiam*, without reproach or penalty, might have been reasonable,) it is certain the inconvenience and prejudice that grew thereby was greater than the benefit: and the reasons of the judges being many times not the reasons of the judgment, that might more satisfactorily and more shortly [have] been put in the sentence itself than spread in the discourses of the censurers.

156. These errors (for errors they were in view, and errors they are proved by the success) are not to be imputed to the Court, but to the spirit and over-activity of the lawyers themselves, who should more carefully have preserved their profession and the professors from being profaned to those services which have rendered both so obnoxious to reproach. There were two persons of that profession and of that time by whose several and distinct constitutions (the one knowing nothing of nor caring for the Court, the other knowing or caring for nothing else) those mischiefs were introduced; Mr. Noy, the Attorney-general; and sir John Finch, first, Lord Chief Justice of the Common Pleas, and then Lord Keeper of the Great Seal of England.

157. The first, upon the great fame of his ability and learning, (and very able and learned he was,) was by great industry and importunity from Court persuaded to accept that place for which all other men laboured, (being the best for profit that profession is capable of,) and so he suffered himself to be made 1631
the King's Attorney-general. The Court made no impression upon his manners; upon his mind it did: and though he wore about him an affected morosity which made him unapt to flatter other men, yet even that morosity and pride rendered him the most liable to be grossly flattered himself that can be imagined.

And by this means the great persons who steered the public affairs, by admiring his parts and extolling his judgment as well to his face as behind his back, wrought upon him by degrees, for the eminency of the service, to be an instrument in all their designs; thinking that he could not give a clearer testimony that his knowledge in the law was greater than all other men's, than by making that law which all other men believed not to be so. So he moulded, framed, and pursued the odious and crying project of soap, and with his own hand drew and prepared the writ for ship-money, both which will be the lasting monuments of his fame. In a word, he was an unanswerable instance how necessary a good education and knowledge of men is to make a wise man, at least a man fit for business.

1634 158. Sir John Finch had much that the other wanted, but nothing that the other had. Having led a licentious life in a restrained fortune, and having set up upon the stock of a good wit and natural parts, without the superstructure of much knowledge in the profession by which he was to grow, [he] was willing to use those weapons in which he had most skill; and so (being not unseen in the affections of the Court, but not having reputation enough to guide or reform them) he took up ship-money where Mr. Noy left it, and, being a judge, carried it up to that pinnacle from whence he almost broke his own neck, having, in his journey thither, been too much a solicitor to induce his brethren to concur in a judgment they had all
1640 cause to repent. To which, his declaration after he was Keeper of the Great Seal of England must be added, upon a demurrer put in to a bill before him, which had no other equity in it than an order of the lords of the Council, that, 'whilst he was Keeper, no man should be so saucy to dispute those orders, but that the wisdom of that board should be always ground enough for him to make a decree in chancery;' which was so great an aggravation of the excess of that Table, that it received more, prejudice from that act of unreasonable countenance and respect than from all the contempt could possibly have been offered to it. But of this no more.

159. Now after all this (and I hope I cannot be accused of

much flattery in this inquisition) I must be so just as to say, 1629–1640
that, during the whole time that these pressures were exercised, and those new and extraordinary ways were run, that is, from the dissolution of the Parliament in the fourth year to the beginning of this Parliament, which was above twelve years, this kingdom, and all his majesty's dominions, (—of the interruption in Scotland somewhat shall be said in its due time and place—) enjoyed the greatest calm and the fullest measure of felicity that any people in any age for so long time together have been blessed with; to the wonder and envy of all the parts of Christendom.

160. And in this comparison I am neither unmindful of, nor 1558–1603
ungrateful for, the happy times of Queen Elizabeth, or for those more happy under King James. But, for the former, the doubts, hazards, and perplexities upon a total change and alteration of religion, and some confident attempts upon a farther alteration by those who thought not the reformation enough; the charge, trouble, and anxiety of a long continued war (how prosperous and successful soever) even during that Queen's whole reign; and (besides some domestic ruptures into rebellion, frequently into treason, and besides the blemish of an unparalleled act of blood upon the life of a crowned neighbour, queen, and ally) the fear and apprehension of what was to come (which is one of the most unpleasant kinds of melancholy) from an unknown, at least an unacknowledged, successor to the crown; clouded much of that prosperity then which now shines with so much splendour before our eyes in chronicle.

161. And, for the other, under King James, (which indeed 1603–1624
were excellent times *bona si sua norint*[1],) the mingling with a stranger nation, (formerly not very gracious with this,) which was like to have more interest of favour: the subjection to a stranger prince, whose nature and disposition they knew not: the noise of treason (the most prodigious that had ever been attempted) upon his first entrance into the kingdom: the wants of the Crown, not inferior to what it hath since felt, (I mean whilst it sat right on the head of the King,) and the pressures

[1] [Virg. Georg. ii. 248.]

1629–1640 upon the subject of the same nature, and no less complained of: the absence of the Prince in Spain, and the solicitude that his highness might not be disposed in marriage to the daughter of that kingdom; rendered the calm and tranquillity of that time less equal and pleasant. To which may be added the prosperity and happiness of the neighbour kingdoms, not much inferior to that of this; which, according to the pulse of states, is a great diminution of their health; at least, their prosperity is much improved and more visible by the misery and misfortunes of their neighbours.

162. The happiness of the times I mentioned was enviously set off by this, that every other kingdom, every other province, were engaged, many entangled, and some almost destroyed, by the rage and fury of arms; those which were ambitiously in contention with their neighbours having the view and apprehensions of the miseries and desolation which they saw other states suffer by a civil war; whilst alone the kingdoms we now lament were looked upon as the garden of the world; Scotland (which was but the wilderness of that garden) in a full, entire, undisturbed peace, which they had never seen; the rage and barbarism (that is, the blood, for of charity we speak not) of their private feuds being composed to the reverence or to the awe of public justice; in a competency, if not in an excess, of plenty, which they had never hope to see, and in a temper (which was the utmost we desired and hoped to see) free from rebellion: Ireland, which had been a sponge to draw, and a gulph to swallow, all that could be spared and all that could be got from England, merely to keep the reputation of a kingdom, reduced to that good degree of husbandry and government that it not only subsisted of itself and gave this kingdom all that it might have expected from it, but really increased the revenue of the Crown forty or fifty thousand pounds a year, besides much more to the people in the traffick and trade from thence; arts and sciences fruitfully planted there; and the whole nation beginning to be so civilized that it was a jewel of great lustre in the most royal diadem.

163. When these outworks were thus fortified and adorned,

it was no wonder if England was generally thought secure, with the advantages of its own climate; the Court in great plenty, or rather (which is the discredit of plenty) excess and luxury; the country rich, and, which is more, fully enjoying the pleasure of its own wealth, and so the easier corrupted with the pride and wantonness of it; the Church flourishing with learned and extraordinary men, and (which other good times wanted) supplied with oil to feed those lamps; and the Protestant religion more advanced against the Church of Rome by writing, especially (without prejudice to other useful and godly labours) by those two books of the late lord archbishop of Canterbury his grace, and of Mr. Chillingworth, than it had been from the Reformation; trade increased to that degree, that we were the Exchange of Christendom, (the revenue thereof to the Crown being almost double to what it had been in the best times,) and the bullion of all other kingdoms was brought to receive a stamp from the Mint of England; all foreign merchants looking upon nothing as their own but what they laid up in the warehouses of this kingdom; the royal navy, in number and equipage much above former times, very formidable at sea, and the reputation of the greatness and power of the King much more with foreign princes than any of his progenitors; for those rough courses which made him haply[1] less loved at home made him more feared abroad, by how much the power of kingdoms is more reverenced than their justice by their neighbours: and it may be this consideration might not be the least motive, and may not be the worst excuse, for those counsels. Lastly, for a complement of all these blessings, they were enjoyed by and under the protection of a King of the most harmless disposition and the most exemplar piety, the greatest example of sobriety, chastity, and mercy, that any prince hath been endued with, (and God forgive those that have not been sensible of, and thankful for, those endowments,) and who might have said that which Pericles[2] was proud of upon his deathbed, 'that no Englishman had ever worn black gown through his occasion.' 1629-1640

[1] ['happily,' MS.]

[2] [Plutarch. in vit. Periclis.]

1629–1640 In a word, many wise men thought it a time wherein those two unsociable[1] adjuncts which Nerva was deified for uniting, *imperium et libertas*, were as well reconciled as is possible.

164. But all these blessings could but enable, not compel, us to be happy: we wanted that sense, acknowledgment, and value of our own happiness which all but we had, and took pains to make, when we could not find, ourselves miserable. There was in truth a strange absence of understanding in most, and a strange perverseness of understanding in the rest: the Court full of excess, idleness and luxury, and the country full of pride, mutiny and discontent; every man more troubled and perplexed at that they called the violation of one law, than delighted or pleased with the observation of all the rest of the charter[2]: never imputing the increase of their receipts, revenue and plenty to the wisdom, virtue and merit of the Crown, but objecting every little trivial imposition to the exorbitancy and tyranny of the government; the growth of knowledge and learning being disrelished for the infirmities of some learned men, and the increase of grace and favour upon the Church more repined and murmured at than the increase of piety and devotion in the Church, which was as visible, acknowledged or taken notice of; whilst the indiscretion and folly of one sermon at Whitehall[3] was more bruited abroad, and commented upon, than the wisdom, sobriety and devotion of a hundred.

165. It cannot be denied but there was sometimes preached there matter very unfit for the place, and very scandalous for the persons, who presumed often to determine things out of the verge of their own profession, and, *in ordine ad spiritualia*, gave unto Cæsar what Cæsar refused to receive as not belong-

[1] [This word was omitted in the old editions, and misread in the recent editions from the MS. as 'miserable.' '—Nerva Caesar res olim dissociabiles miscuerit, principatum ac libertatem:' Tac., *Vit. Agric.* c. 3.]

[2] [Thucyd. lib. I. c. 77.]

[3] [This may refer to bp. Goodman's sermon, preached before the King on 5th Sunday in Lent, 1626, which was discussed in Convocation on March 29, and reported on to the King by a committee of bishops. Dr. Mainwaring's two sermons, for which he was proceeded against in Parliament in 1628, were not preached at Whitehall, but at Oatlands and Alderton.]

ing to him. But it is as true (as was once said by a man fitter to be believed in that point than I, and one not suspected for flattering of the clergy) that 'if the sermons of those times preached in Court were collected together and published, the world would receive the best bulk of orthodox divinity, profound learning, convincing reason, natural powerful eloquence, and admirable devotion, that hath been communicated in any age since the Apostles' time.' And I cannot but say, for the honour of the King and of those who were trusted by him in his ecclesiastical collations (who have received but sad rewards for their uprightness) in those reproached, condemned times, there was not one churchman in any degree of favour or acceptance, (and this the inquisition that hath been since made upon them—a stricter never was in any age—must confess,) of a scandalous insufficiency in learning, or of a more scandalous condition in life; but, on the contrary, most of them of confessed eminent parts in knowledge, and of virtuous or unblemished lives. And therefore wise men knew that that which looked like pride in some and like petulance in others would, by experience in affairs and conversation amongst men, both of which most of them wanted, be in time wrought off or in a new succession reformed, and so thought the vast advantage from their learning and integrity an ample recompense for any inconvenience from their passion; and yet by the prodigious impiety of those times the latter was only looked on with malice and revenge, without any reverence or gratitude for the former. 1629–1640

166. [1]When the King found himself possessed of all that 1633

[1] [The text is here again taken up from the MS. of the *Life*, p. 63. But the following passages relating to the Scotch affairs of 1633–9 and the short Parliament of 1640, follow in the MS. of the *History*:—

1. That which in the consequence was worse than all this, that is, which made the consequence of all the rest the worse, was, that by all the access of those vast receipts and disbursements by the people, the King's coffers were not at all, or not considerably, replenished. Whether by the excess of the Court, (which had not been enough contracted;) the unaptness of ministers, or the intentness of ministers upon their own, more than the public, profit; the maintaining great fleets at sea, more for the glory than benefit of the King, in a time of entire peace, and when his jurisdiction in

1633 tranquillity mentioned before, that he had no reason to apprehend any enemies from abroad, and less any insurrections at home, against which no kingdom in Christendom, in the constitution of its government, in the solidity and execution of the laws, and in the nature and disposition of the people, was more

the deep was not questioned, at least not contested; or, which was a greater, and at that time thought a more unnecessary, charge, the building of many great ships; or, whether the popular axiom of Queen Elizabeth, that as her greatest treasure was in the hearts of her people, so she had rather her money should be in their purses than in her own Exchequer[1], (which she never said but at the closing of some Parliament, when she had gotten all she could from them,) was grown current policy; or whether all these together contributed thereunto, I know not; but I am sure the oversight or the misfortune proved very fatal. For as the Crown never advanced itself by any remarkable attempt that depended wholly upon the bounty of the people, so it never suffered from abroad or at home when the Exchequer was plentifully supplied, what circumstances soever had accompanied or attended that plenty. And without doubt, if such provision had been made, the disjointed affections and dispositions of that time had not been so apt to lay hold [of] and countenance the first interruption: and the first possible opportunity of interruption they did lay hold of.

1633 2. About the year 1634 (there being as great a serenity in England as had been ever known) the King visited his native kingdom of Scotland, where he had not been (otherwise than in his princely favours, which he had every day showered upon them) since he was two years old, and with much magnificence and splendour was crowned there; and amongst other ceremonies was assured, (which it is true they had reason to believe would be very acceptable to his majesty,) that they would, for their decency and union in God's service, receive a set form and liturgy if his majesty would be pleased to enjoin it to them. And about the year 1637 such a liturgy was sent to them, with canons and orders for their church government. Whether that liturgy was compiled with care and circumspection, whether it were recommended to the people with discretion and prudence, or whether the people were prepared by due circumstances to receive it, whether the bishops of that kingdom or this were more passionate and unskilful in the prosecution than for the time they ought to have been, or whether the supreme ministers of state employed and trusted by the King there were friends to the Church, and so concerned enough in the disorders in the bud, I determine not, but leave all men to their own judgments upon the books of that time, written by both parties and still extant. Sure it is, it was so far from a general reception that occasion was from thence taken to unite the whole nation in a

[1] [Probably this refers to her saying on Nov. 22, 1566, as told by Camden, that 'money in her subjects' purse was as good as in her own exchequer.' This, however, she said when declining part of a granted subsidy. *Parl. Hist. of Engl.* iv. 73.]

secure than England; that he might take a nearer view of 1633
those great blessings which God had poured upon him, he resolved to make a progress into the northern parts of his kingdom, and to be solemnly crowned in his kingdom of Scotland, which he had never seen from the time he first left

covenant against it; and when so much way was given to their fury as that both liturgy and canons were laid by, and assurance given that neither should be pressed upon them, the animosity continued, and grew so great against the Church that nothing would satisfy them but a total abolition of bishops throughout that kingdom: for the better compassing whereof all things were prepared there for a war; colonel Lashly, [Lesley,] a man of good command formerly under the king of Sweden, and distasted here, (that is, denied somewhat he had a mind to have, which was always to that people the highest injury,) chosen to be their general; and all provisions of arms and ammunition from foreign parts, and horses from the north of England, were procured with all possible care and diligence. To chastise these insolencies, and to preserve his interest in that kingdom, visibly then in issue, his majesty raised an army fit for the quarrel, and about May in the year 1639 advanced in person towards the north; having sent before the earl of Essex, lieutenant general of his army, to secure Berwick, which he did with very great diligence and dexterity.

3. The pomp of this journey of his majesty (for it was rather like a 1639
progress than a march) was the first error committed, and was in truth the ground of all the errors and misfortunes that ensued. His majesty had summoned all the nobility of England to attend upon him in this expedition; which increased his train, but added nothing to his strength. Whether the ground of that counsel was an apprehension that the indisposition of the people might attempt somewhat in his absence, and so that it were safest to have the great men with him; or whether there were an opinion and intention of raising money upon those who would buy their ease and so be excused from that trouble and expense; or whether it was thought the drawing all the nobility together in that manner would look more like a union of this nation in the quarrel, and so make the greater impression upon that, I could yet never learn: but affairs do only succeed well when willing instruments are engaged in the prosecution, and he that is used against his inclination is not to be trusted in a capacity of doing hurt. At the first rendezvous at York it was thought fit to unite the Court and army by a counter-covenant, to be taken by every person, for the defence of the King and to renounce any intelligence with the enemy. This being taken by all the rest of the nobility was absolutely refused by the lord Say and the lord Brooke, who were thereupon committed to prison, and so freed from farther attendance. By this time it was very visible that the factious and discontented party in England had close correspondence with those Covenanters, to which purpose Mr. Nathaniel Fynes, son to the lord Say, was then in Scotland, making it his way home from the Low Countries: and the defection of that nation was so entire, that, saving some few persons of honour, (whose friends, children,

1633 it, when he was of the age of two years and no more. In order to this journey, which was made with great splendour and proportionable expense, he added to the train of the Court many of the greatest nobility, who cared not to add to the pomp of the Court, at their own charge, which they were obliged to do, and did with all visible alacrity submit to the

1639 and allies were likewise in rebellion,) there were no Scotchmen in the Court or army. The King advanced beyond Berwick three miles upon the river of Tweed, where he pitched his camp, being above sixteen thousand horse and foot, which, if a number of lords and gentlemen unwillingly brought thither had been away, had been a very good army. Whether the Scots were at that time ready to have received such a strength, or whether they were in truth ever after strong enough to have encountered it, I cannot say, having heard several persons who might be presumed to know much severally discourse it; and therefore I shall neither now or hereafter mention the actions or affairs of that kingdom more than is absolutely necessary to continue the thread of this relation, and then in such particulars as I have had a clear knowledge [of] or a clear information in, the main being fit for a work by itself and a workman more conversant in the mysteries of that people. Certain it is, from the time that the Scotch army (such as it was) drew near the Borders the purpose and desire of fighting every day lessened in ours; the nobility and gentry working so much upon the soldier that his majesty found it necessary to entertain the first overture of a treaty, which was almost as soon concluded as begun, and thereupon both armies disbanded; his majesty intending, and having so declared, to be himself shortly with his Parliament in Scotland to put an end and determination to all particulars: sending in the mean time the marquis of Hamilton (who had been the only person trusted by his majesty in that grand affair) thither. The resolution for his majesty's personal repair into Scotland, which should have been within twenty days after the Pacification, was quickly altered, and the earl of Traquair, then Lord Treasurer of that kingdom, sent thither to hold the Parliament as his majesty's commissioner, the King himself returning by ordinary journeys in progress to London. This alteration, which they presently called a receding from the agreement, gave them a very great advantage, and was very prejudicial to the King; and if he had gone thither in person he would very probably have disposed them to a reasonable conformity, (for they had both the terror of the army they had seen so near them, and the trouble and charge of their own, before them,) or have broken upon some accident or new occasion, which might have been no reproach to the former counsels at the Pacification: whereas, as it fell out, the rupture seemed to proceed from a review of the same considerations and conclusions, and so was thought a tax upon the former counsellors, who, the more they had reason to be ashamed of what they had advised, had the more reason to be angry at contrary resolutions. That which in truth was, and reasonably might be, the ground

King's pleasure as soon as they knew his desire; and so his 1633
attendance in all respects was proportionable to the glory of the greatest king.

167. This whole progress was made from the first setting out to the end of it with the greatest magnificence imaginable; and the highest excess of feasting was then introduced, or, at

of that alteration from the King's going thither, was an apprehension of 1639
danger to his person, or rather, that his residence there might be compelled to be longer than either was necessary or he had a mind to make it. And infusions of this nature can only be broken through by the magnanimity of the prince himself; for where there is the least hint of his safety, the most bold seems the least careful; and so all men conform their counsels, let the reason be what it will and the necessity what it will, (for where great enterprises are to be undertaken great hazards are to be run,) to what is most secure, rather than to what is most fit. Experience tells us worse could not have befallen than hath happened: and therefore (if for no other reason) we may soberly believe his presence there at that time that was designed would have produced better effects, both in that kingdom and in this; which upon the commerce of that treaty began to continue the traffick of intelligence.

4. Next to his majesty's not going, the sending the earl of Traquair as his commissioner was thought by many of the worst consequence; for though he was a wise man, (the wisest to my understanding that I have known of that nation,) he was not a man of interest and power with the people, but of some prejudice; and though he might be solicitous enough for that which he thought his master's sovereignty against that anarchy the people's fury seemed to set up, yet he was not thought at all a friend to the Church, but rather to connive at many extravagances and exorbitances, (even after the time of his commission,) to the end that an alteration in the ecclesiastical might seem the more reasonable price for a reformation and restoration in the temporal state; though I know he dissembled that inclination so well, that he procured and received that trust under the notion especially of being a stickler for, if not a patron of, the bishops. Wherever the fault or misfortune was, nothing succeeded in that Parliament according to expectation; and the earl, without dissolving it, returned into England, leaving them sitting, choosing immediately a commissioner themselves in the King's right, and shortly after summoning the castle of Edinburgh (which was honestly and stoutly defended and kept by general Ruthen for the King) to be delivered into their hands.

5. The fire brake not out faster in Scotland than the resolution was taken in England by some more prosperous attempt to repair the faults of the last summer, and either to reform or reduce that people, upon a full representation of the state of those affairs at the Council-board, shortly after the King's return to London, by marquis Hamilton, who came since. The raising a new army was intended with all vigour and expedition; and men being now at a greater distance from danger, the advice was not less

1633 least, carried up to a height it had never been before, and from whence it hardly declined afterwards, to the great damage and mischief of the nation in their estates and manners. All persons of quality and condition who lived within distance of the northern road received the great persons of the nobility with that hospitality which became them; in which all cost was

1639 unanimous for a new war than it had three months before been for the Pacification, a proclamation issuing out by the full advice of the lords of the Council for the public burning the articles of the Pacification; though they were willing shortly after to lay the guilt of this counsel upon three or four men who bore the burden and paid the price of the misfortune. The lord Wentworth, then Deputy of Ireland, was about that time here, and to him the advice was acknowledged of calling a Parliament whereby his majesty might be enabled to wage that war. Whoever gave the counsel, the resolution was taken in December, 1639, for the calling a Parliament in April following; to which purpose writs immediately issued out, to the singular and universal joy of the people. The Deputy of Ireland, having with marvellous dexterity, between December and April, passed into Ireland, called a Parliament in that kingdom, procured four subsidies to be given, and a declaration very frankly made against the Scots, formed an army of eight thousand foot and one thousand horse to be ready within three months to march into Scotland, and returned hither
1640 again before the day of the meeting, which was on the 13th of April, 1640; when, with the usual full solemnity, his majesty came to Westminster, and acquainted the Lords and Commons that he had principally called them thither to assist him against the rebellion of his subjects of Scotland, and informed them of many particulars in that business; very earnestly pressing despatch, in respect of the season of the year, the forwardness of the preparations in Scotland, and their activity with foreign princes, there being then a letter produced, signed by many noblemen of Scotland, amongst whom the lord Lowdon (then a prisoner in the Tower of London for that offence) was one, to the King of France, in plain and express words desiring relief and protection from him against their native King. That Parliament, assembled on the 13th of April, (as I said before,) was, to the extreme grief and amazement of all good men, dissolved the fifth of May following, being in truth as composed and as well disposed a House as, I believe, had met together in any time; and there having never passed the least action or word of irreverence or disrespect towards his majesty during the time they continued together. A better instance cannot be given of their modesty and temper than that a member of the House of Commons (Mr. Peard, who brought himself afterwards to a bolder dialect) was forced to explain, that is, no less than to recant, for saying, in a frank debate of our grievances, that ship-money was an 'abomination'; which was within seven months voted little less than treason. It will be very little time spent to look over the particular passages in that short Parliament; which, when we have done, we shall conclude the

employed to make their entertainments splendid, and their 1633
houses capable for those entertainments. And the King himself met with many treatments of that nature, at the charge of particular men who desired the honour of his presence, which had been rarely practised till then by the persons of the best condition, though it hath since grown into a very

evil genius of the kingdom wrought that dissolution, which was the most 1640
immediate cause (that is, the contrary had been the most immediate cure) of all that hath since gone amiss. Within few days after the beginning, at a conference between both Houses in the Painted Chamber, the Lords (as the whole subject-matter of that conference) desired the Commons with all possible speed to enter upon the consideration of supply by way of subsidy; which was no sooner reported in the House but resented as a great breach of privilege, that business of supply and subsidy being by the fundamental rules of Parliament always to begin in the House of Commons. More time was not spent, nor more warmth expressed, in this debate than might have been reasonably expected. The King afterwards, by a message delivered in the House of Commons by sir H. Vane, (then Secretary of State and Treasurer of the Household,) again pressed a supply, and offered for twelve subsidies to quit any claim he had to ship-money for the time to come, that tax of ship-money being at that time levying throughout the kingdom; a great instance of the prosperity the Court at that time took itself to be in. This message was delivered on Saturday the 2nd of May, about ten of the clock in the morning, and the debate thereof was continued till four of the clock that afternoon; which was then thought an extraordinary matter, the House usually in those times, and by the course of Parliaments, rising at twelve. The subject of the debate was upon three particulars. First, for the House to be pressed in matter of money in the beginning, before any redress was given, or so much as a consultation entered upon, of those pressures and grievances which had been sustained for at least a dozen years, seemed very unusual: and though the time of the year and the activity of the Scots were urged as motives to expedition, it was as obvious that the season of the year was an argument rather made than found, and that it had been as easy to have had the Parliament the 13th of March as the 13th of April; and therefore that consideration rather administered matter of jealousy than satisfaction to equal and indifferent persons. Secondly, men were somewhat startled to hear a composition proposed (setting aside the proportion, which was then thought prodigious) for ship-money, which they expected should have been disclaimed in the point of right, and were sure would be declared against in the first debate: and they who out of several considerations had been always content to pay it, were nevertheless as unwilling by making a purchase of it to confess what they never believed, especially since they who had declared it to be a right (the judges) had likewise declared it to be a right so inherent in the Crown that even an Act of Parliament could not dissolve it. I mention not the discourses upon

1633 inconvenient custom. But when he passed through Nottinghamshire both King and Court were received and entertained by the earl of Newcastle, and at his own proper expense, in such a wonderful manner and in such an excess of feasting as had never before been known in England, and would be

1640 the proportion of twelve subsidies proposed as a recompense, and required to be paid in three years, five the first, four the second, and three the third year; which was then sadly alleged by grave men to be more than the stock of the kingdom could [have] borne in so short a time, and without doubt was so believed: but we are reformed in that learning, and find that, besides all violence by the soldiers and extraordinaries by fines and delinquency, the very contribution settled and cheerfully submitted to in most counties amounts to above forty subsidies in a year; which is only an argument that the wealth of the kingdom was much greater than it was understood to be. Thirdly, though there was not then any declared faction for the Scots, nor in truth any visible inclination to them, yet the demanding a supply in that manner, and always upon that ground, to raise an army against the Scots, looked like an engagement in and for the war, which reasonably could not be expected from men to whom no particulars of those affairs had been communicated. And as the same was craftily insinuated by men who, it may be, were favourers of their proceedings, so the consideration of it took place, or at least made pauses, in the most sober men, and made them wish that the supply had been only desired without giving other reason than the general occasions. But that had not so well complied with the ends of the King, who, it may be, looked upon the united declaration of both Houses against the Scots as more in order towards the preventing a war than all the supply they were like to give him would be to support it; but this was fitter to be wished than attempted. Yet in all this debate there was not the least objection made against the war, nor excuse made for the Scots; only one member cast out an envious word, that he heard it was *bellum episcopale*. This debate (the gravest, and most void of passion, and the fullest of reason and ingenuity that ever I have known) upon those three weighty points took up Saturday and Monday, and about six of the clock at night was adjourned till Tuesday morning, the temper and inclination of the House (—for I speak of the House of Commons, the work was upon them—) being most apparent presently to consent to give subsidies, though the number proposed was not like to be agreed unto. But on Tuesday morning, his majesty, having sent for the Speaker before the sitting of the House and carried him with him to Westminster, sent for both Houses and dissolved them, to the most astonishing grief of all good men that I ever beheld, though it was as observable that those who have been the greatest promoters of the troubles and ruin we have since suffered were the most visibly satisfied and delighted with that morning's work that can be imagined: and one of them, of principal reckoning [1], observing a cloudiness

[1] [Oliver St. John.]

still thought very prodigious if the same noble person had 1633
not within a year or two afterwards made the King and Queen a more stupendous entertainment; which, (God be thanked,) though possibly it might too much whet the appetite of others to excess, no man ever after imitated.

in me, bade me 'be of good comfort; all would go well; for things must 1640
be worse before they could be better.'

6. The ground and reason of that counsel for dissolving the Parliament (for the resolution was taken in full and solemn Council,) was upon a misrepresentation of the temper and disposition of the House by sir Harry Vane, who confidently averred that they would not give a subsidy, but instead thereof would pass some such vote against ship-money and other acts of power as would render those courses, and so the benefits accruing from thence, for the future more difficult: which was a strange averment from a person who had been the only cause that a supply was not voted the day before, by his hindering such a question to be put and affirming, with much passion, that to his knowledge fewer subsidies than were proposed by his majesty, and paid in any other manner than was proposed, would be absolutely rejected by him; which was most contrary to the instructions he had received. Whether this unheard-of boldness in the one place and the other proceeded from any intelligence or combination with that faction whose ends were advanced by it, (his son lying then in the bosom of those people;) or whether in truth he thought himself less secure, having trod those high ways as furiously as any; or whether his contracted venom and malice against the earl of Strafford obliged him to endeavour to dissolve it, and thereby to reproach the Council of convening it; or whether a mixture of all these, as this last might naturally beget a greater compliance with the first and a greater solicitation upon the second consideration, I determine not: but observed it was, and very worthy to be observed it is, that though the dissolution of that Parliament [w]as the ground or cause of all the mischief that followed, and therefore always inserted as the most odious aggravation in the highest charge against any man they meant to destroy, as against the earl of Strafford and the archbishop of Canterbury, yet they never proceeded in the examination and proof of that part, which they could have done as well as they did in more secret discoveries, if they had not known it would most have concerned some to whom they meant not to be severe: and though this connivance might have been in the archbishop's trial, upon the merit of his late services and sufferings, yet at the time of the earl of Strafford's arraignment (which was before notice taken of the robbing of the cabinet) it could not have been forborne, especially when it might possibly have added somewhat to his guilt, which might have been thought necessary to be improved by such an unpopular addition, if it had not been for some extraordinary service which was not then acknowledged. However, it seemed strange to many standers by that this untrue information given by sir H. Vane could produce so fatal a resolution, when there were two other

1633 168. The great offices of the Court and principal places of attendance upon the King's person were then upon the matter equally divided between the English and the Scots; the marquis of Hamilton Master of the Horse, and the earl of Carlisle First Gentleman of the Bedchamber[1], and almost all the second relations in that place being of that kingdom; so that there was as it were an emulation between the two nations which should appear in the greatest lustre, in clothes, horses, and attendance. And as there were (as is said before) many of the principal nobility of England who attended upon the King and who were not of the Court, so the Court was never without many Scots volunteers, and their number was well increased upon this occasion in nobility and gentry, who

1640 Councillors then of the House, besides many other persons of honour and interest, whose testimony might have been equally considered: which no doubt it would have been, if it had been as confidently alleged, and if the other's undertaking had not received much confirmation and credit by the concurrence of sir Edward Herbert, then Solicitor-general, a man that gives as much reason to other men and as little to himself as most I know.

7. The hopes and expectation of money and assistance from that Parliament being determined, the lords of the Council (according to their declaration at that meeting when the summoning a Parliament was agreed upon in December before, that if by any refractoriness in that convention the King should not receive the fruit and aid he purposed they would assist him any extraordinary way) gave direction for the more vigorous execution of the writ and instructions for ship-money, committed some members of the late Parliament for somewhat said or done there, and searched the chambers and closets of others, (which always gave credit to the persons, never contributed to the work in hand, whatever it was,) and, for a foundation of raising an army, which the preparations in Scotland and the proceedings there, (for they had taken in or besieged all the castles which were in the hands of men trusted by the King,) made very necessary, the lords themselves undertook presently to lend great sums of money to his majesty, many twenty thousand pounds apiece, and by their example to invite (and the invitation of such examples was well understood) other men to do the like: and to that purpose all great officers, and all men notoriously known to have money, or to be able to procure any, were sent for and treated with at the Council table; by which means in a very few days near three hundred thousand pounds were not only promised, (which gave present reputation to the action,) but really paid into the Exchequer.

A general was appointed, &c. *as in Book 2, par.* 81.]

[1] ['though the duke of Lenox had a great place there:' *interlined, but struck out.*]

were resolved to convince all those who had believed their country to be very poor. 1633

169. The King no sooner entered Scotland but all his English servants and officers yielded up their attendance to those of the Scots nation who were admitted into the same offices in [Scotland[1]], or had some title to those relations by the constitution of that kingdom, as most of the great offices are held by inheritance; as the duke of Richmond and Lenox was then High Steward and High Admiral of Scotland by descent, as others had the like possession of other places; so that all the tables of the house which had been kept by the English officers were laid down, and taken up again by the Scots, who kept them up with the same order and equal splendour, and treated the English with all the freedom and courtesy imaginable; as all the nobility of that nation did at their own expense, where their offices did not entitle them to tables at the charge of the Crown, keep very noble houses to entertain their new guests who had so often and so well entertained them. And it cannot be denied the whole behaviour of that nation towards the English was as generous and obliging as could be expected, and the King appeared with no less lustre at Edinburgh than at Whitehall. And in this pomp his coronation passed with all the solemnity and evidence of public joy that can be imagined or could be expected; and the Parliament then held, with no less demonstration of duty, passed and presented those acts which were prepared for them to the royal sceptre; in which were some laws which restrained the extravagant power of the nobility, which in many cases they had long exercised, and the diminution whereof they took very heavily, though at that time they took little notice of it; the King being absolutely advised in all the affairs of that kingdom then and long before and after by the sole counsel of the marquis of Hamilton, who was, or at least then believed to be, of the greatest interest of any subject in that kingdom, of whom more will be said hereafter.

[1] ['England,' MS.]

1633 170. The King was very well pleased with his reception, and with all the transactions there; nor indeed was there any thing to be blamed but the luxury and vast expense, which abounded in all respects of feasting and clothes with too much license: which being imputed to the commendable zeal of the people of all conditions to see their King amongst them, whom they were not like to see there again, and so their expense was to be but once made, and to the natural pride and vanity of that people who will bear any inconveniences in it or from it [rather] than confess the poverty of their country, no man had cause to suspect any mischief from it: and yet the debts contracted at that time by the nobility and gentry, and the wants and temptations they found themselves exposed to from that unlimited expense, did very much contribute to the kindling that fire which shortly after broke out in so terrible a combustion: nor were the sparks of murmur and sedition then so well covered but that many discerning men discovered very pernicious designs to lurk in their breasts who seemed to have the most cheerful countenance, and who acted great parts in the pomp and triumph. And it evidently appeared, that they of that nation who shined most in the Court of England had the least influence in their own country, (except only the marquis of Hamilton, whose affection to his master was even then suspected by the wisest men in both kingdoms,) and that the immense bounties the King and his father had scattered amongst those of that nation out of the wealth of England, besides that he had sacrificed the whole revenue and benefit of that kingdom to themselves, were not looked upon as any benefit to that people, but as obligations cast away upon particular men, many of whom had with it wasted their own patrimony in their country.

171. The King himself observed many of the nobility to endeavour to make themselves popular by speaking in Parliament against those things which were most grateful to his majesty, and which still passed notwithstanding their contradiction; and he thought a little discountenance upon those persons would either suppress that spirit within themselves, or

make the poison of it less operative upon others. But as those 1633
acts of discountenance were too often believed to proceed from the displeasure of the marquis of Hamilton, and so rather advanced than depressed the object, so that people have naturally an admirable dexterity in sheltering themselves from any of those acts of discountenance which they have no mind to own; (as they are equal promoters and promulgators of it, though not intended, when they can make benefit by it;) when it hath been notoriously visible, and it was then notorious, that many of the persons then, as the earl of Rothes and others, of whom the King had the worst opinion, and from whom he most purposely withheld any grace by never speaking to them or taking notice of them in the Court, when the King was abroad in the fields or passing through villages, when the greatest crowds of people flocked to see him, those men would still be next him, and entertain him with some discourse and pleasant relations, which the King's gentle disposition could not avoid, and which made those persons to be generally believed to be most acceptable to his majesty. Upon which the lord Falkland was wont to say, 'that keeping of state was like committing adultery, there must go two to it;' for let the proudest or most formal man resolve to keep what distance he will towards others, a bold and confident man instantly demolishes that whole machine, and gets within him, and even obliges him to his own laws of conversation.

172. The King was always the most punctual observer of all decency in his devotion, and the strictest promoter of the ceremonies of the Church, as believing in his soul the Church of England to be instituted the nearest to the practice of the Apostles, and the best for the propagation and advancement of Christian religion, of any church in the world: and on the other side, though no man was more averse from the Romish Church than he was, nor better understood the motives of their separation from us and animosity against us, he had the highest dislike and prejudice to that part of his own subjects who were against the government established, and did always look upon them as a very dangerous and seditious people, who would,

1633 under pretence of conscience which kept them from submitting to the spiritual jurisdiction, take the first opportunity they could find or make to disturb and withdraw themselves from their temporal subjection; and therefore he had with the utmost vigilance caused that temper and disposition to be watched and provided against in England; and if it were then in truth there, it lurked with wonderful secrecy. In Scotland indeed it covered the whole nation, so that though there were bishops in name, the whole jurisdiction and they themselves were upon the matter subject to an Assembly which was purely Presbyterian; no form of religion in practice, no liturgy, nor the least appearance of any beauty of holiness: the clergy, for the most part, corrupted in their principles; at least, (for it cannot be denied but that their universities, especially Aberdeen, flourished under many excellent scholars and very learned men,) none countenanced by the great men or favoured by the people but such. Yet, though all the cathedral churches were totally neglected with reference to those administrations over the whole kingdom, yet the King's own chapel at Halirude-house had still been maintained with the decency and splendour of the cathedral service and all other formalities incident to the royal chapel. And the whole nation seemed in the time of King James well inclined to receive the liturgy of the Church of England, which the King exceedingly desired, and was so confident of, that they who were privy to the counsels of that King in that time did believe that the bringing that work to
1617 pass was the principal end of his progress thither some years before his death, though he was not so well satisfied at his being there, two or three of the principal persons trusted by him in the government of that kingdom dying in or about that very time: but [though[1]] he returned without making any visible attempt in that affair, yet he retained still the purpose and resolution to his death to bring it to pass. However, his two or three last years were less pleasant to him, by the Prince's voyage into Spain, the jealousies which about that time began in England, and the imperious proceedings in Parliament there,

[1] ['that,' MS.]

so that he thought it necessary to suspend any prosecution of 1633
that design until a more favourable conjuncture, and he lived not to see that conjuncture.

173. The King his son, with his kingdoms and other virtues, inherited that zeal for religion, and proposed nothing more to himself than to unite his three kingdoms in one form of God's worship and in a uniformity in their public devotions; and there being now so great a serenity in all his dominions, as is mentioned before, there is great reason to believe that in this journey into Scotland to be crowned, he carried the resolution with him to finish that important business in the Church at the same time. And to that end the then bishop of London, Dr. Laud, attended on his majesty throughout that whole journey, which, as he was dean of the chapel, he was not obliged to do, and no doubt would have been excused from if that design had not been in view; to accomplish which he was not less solicitous than the King himself, nor the King the less solicitous for his advice. He preached in the royal chapel, (which scarce any Englishman had ever done before in the King's presence,) and principally upon the benefit of conformity and the reverent ceremonies of the Church, with all the marks of approbation and applause imaginable; the great civility of that people being so notorious and universal that they would not appear unconformable to his majesty's wish in any particular. And many wise men were then and still are of opinion, that if the King had then proposed the liturgy of the Church of England to have been received and practised by that nation, it would have been submitted to against all opposition.

174. But, upon mature consideration, the King concluded that it was not a good season to promote that business. He had passed two or three Acts of Parliament which had much lessened the authority and dependence of the nobility and great men, and incensed and disposed them proportionably to cross and oppose any proposition which would be most grateful[1]; and that thwartover humour was enough discovered to rule in

[1] [The Acts relating to the resumption of Church-lands and teinds. See § 169.]

1633 the breasts of many who made the greatest professions. Yet this was not the obstruction which diverted the King. The party that was averse from the thing, and abhorred any thought of conformity, could not have been powerful enough to have stopped the progress of it; the mischief was that they who most desired it and were most concerned to promote it were the men who used all their credit to divert the present attempting it; and the bishops themselves, whose interest was to be most advanced thereby, applied all their counsels secretly to have the matter more maturely considered; and the whole design was never consulted but privately, and only some few of the great men of that nation and some of the bishops advised with by the King and the bishop of London; it being manifest enough that as the finishing that great affair must be very grateful to England, so the English must not appear to have the hand in the contriving and promoting it.

175. The same who did not only pretend but did really and heartily wish that they might have a liturgy to order and regulate the worship of God in their churches, and did very well approve the ceremonies established in the Church of England, and desired to submit and to practise the same there, had no mind that the very liturgy of the Church of England should be proposed to or accepted by them. For which they offered two prudential reasons, as their observations upon the nature and humour of the nation, and upon the conferences they had often had with the best men upon that subject, which was often agitated in discourse, upon what had been formerly projected by King James, and upon what frequently occurred to wise men in discourses upon the thing itself and the desirableness of it:—

176. The first was, that the English liturgy, how piously and wisely soever framed and instituted, had found great opposition, and though the matter of the ceremonies had wrought for the most part only upon light-headed, weak men, whose satisfaction was not to be laboured, yet there were many grave and learned men who excepted against some particulars, which would not be so easily answered. That the reading Psalms being of the

old translation were in many particulars so different from the new and better translation that many instances might be given of importance to the sense and truth of Scripture. They said somewhat of the same nature concerning the translation of the Epistles and Gospels, and some other exceptions against reading the Apocrypha, and some other particulars of less moment; and desired that, in forming a liturgy for their Church, they might by reforming those several instances give satisfaction to good men, who would thereupon be easily induced to submit to it. 1633

177. The other, which no doubt but took this in the way to give it the better introduction, was, that the kingdom of Scotland generally had been long jealous that by the King's continued absence from them they should by degrees be reduced to be but as a province to England and subject to their laws and government, which it would never submit to, nor would any man of honour, who loved the King best and respected England most, ever consent to bring that dishonour upon his country. If the very liturgy in the terms it is constituted and practised in England should be offered to them, it would kindle and inflame that jealousy, as the prologue and introduction to that design, and as the first rung of the ladder which should serve to mount over all their customs and privileges, and be opposed and detested accordingly: whereas if his majesty would give order for the preparing a liturgy with those few desirable alterations, it would easily be done; and in the mean time they would so dispose the minds of the people for the reception of it that they should even desire it. And this expedient was so passionately and vehemently urged, even by the bishops, that, however they referred to the minds and humours of other men, it was manifest enough that the exception and advice proceeded from the pride of their own hearts.

178. The bishop of London, who was always present with the King at these debates, was exceedingly troubled at this interjection, and to find those men the instruments in it who had seemed to him as solicitous for the expedition as zealous for the thing itself, and who could not but suffer by the delay. He knew well how far any enemies to conformity would be

1633 from being satisfied with those small alterations, which being consented to they would, with more confidence though less reason, frame other exceptions, and insist upon them with more obstinacy. He foresaw the difficulties which would arise in rejecting, or altering, or adding to, the liturgy, which had so great authority, and had by the practice of near fourscore years obtained great veneration from all Protestants; and how much easier it would be to make objections against any thing that should be new than against the old; and would therefore have been very glad that the former resolution might be pursued, there having never been [any] thought in the time of King James, or the present King, but of the English liturgy; besides that any variation from it, in how small matters soever, would make the uniformity the less, the manifestation whereof was that which was most aimed at and desired.

179. The King had exceedingly set his heart upon the matter, and was as much scandalized as any man at the disorder and indecency in the exercise of religion in that Church: yet he was affected with what was offered for a little delay in the execution, and knew more of the ill humour and practices amongst the greatest men of the kingdom at that season than the bishop did, and believed he could better compose and reduce them in a little time and at a distance, than at the present and whilst he was amongst them. Besides, he was in his nature too much inclined to the Scots nation, having been born amongst them, and as jealous as any one of them could be that their liberties and privileges might not be invaded by the English, who, he knew, had no reverence for them: and therefore the objection that it would look like an imposition from England, if a form settled in Parliament at Westminster should without any alteration be tendered (though by himself) to be submitted to and observed in Scotland, made a deep impression in his majesty.

180. In a word, he committed the framing and composing such a liturgy as would most probably be acceptable to that people to a select number of the bishops there, who were very able and willing to undertake it: and so his majesty returned

into England at the time proposed to himself, without having ever proposed, or made the least approach in public towards, any alteration in the Church. 1633

181. It had been very happy if there had been then nothing done indeed that had any reference to that affair, and that, since it was not ready to promote it, nothing had been transacted which accidentally aliened the affections of the people from it; and this was imputed to the bishop of London, who was like enough to be guilty of it, since he did naturally believe that nothing more contributed to the benefit and advancement of the Church than the promotion of churchmen to places of the greatest honour and offices of the highest trust: and this opinion and the prosecution of it (though his integrity was unquestionable, and his zeal as great for the good and honour of the State as for the advancement and security of the Church) was the unhappy foundation of his own ruin, and of the prejudice towards, and malice against, and almost destruction of, the Church.

182. During the King's stay in Scotland, when he found the conjuncture not yet ripe for perfecting that good order which he intended in the Church, he resolved to leave a monument behind him of his own affection and esteem of it. Edinburgh, though the metropolis of the kingdom and the chief seat of the King's own residence, and the place where the Council of State and the courts of justice still remained, was but a borough town within the diocese of the archbishopric of St. Andrew's, and governed in all church affairs by the preachers of the town; who, being chosen by the citizens from the time of Mr. Knox (who had a principal hand in the suppression of Popery, with circumstances not very commendable) to this day, had been the most turbulent and seditious ministers of confusion that could be found in the kingdom; of which King James had so sad experience, after he came to age as well as in his minority, that he would often say that his access to the crown of England was the more valuable to him as it redeemed him from the subjection to their ill manners and insolent practices, which he could never shake off before. The King before his return from

1633 thence, with the full consent and approbation of the archbishop of St. Andrew's, erected Edinburgh into a bishopric, assigned it a good and convenient jurisdiction out of the nearest limits of the diocese of St. Andrew's, appointed the fairest church in the town to be his cathedral, settled a competent revenue upon the bishop out of lands purchased by his majesty himself from the duke of Lenox, who sold it much the cheaper that it might be consecrated to so pious an end, and placed a very eminent scholar of a good family in the kingdom, who had been educated in the university of Cambridge, to be the first bishop in that his new city[1]; and made another person of good fame and learning[2] his first dean of his new cathedral, upon whom likewise he settled a proper maintenance; hoping by this means the better to prepare the people of the place, who were the most numerous and richest of the kingdom, to have a due reverence to order and government, and at least to discountenance, if not suppress, the factious spirit of Presbytery which had so long ruled there. But this application little contributed thereunto: and the people generally thought that they had too many bishops before, and so the increasing the number was not like to be very grateful to them.

183. The bishops had indeed very little interest in the affection of that nation, and less authority over it; they had not power to reform or regulate their own cathedrals, and very rarely shewed themselves in the habit and robes of bishops, and durst not contest with the General Assembly in matters of jurisdiction; so that there was little more than the name of Episcopacy preserved in that Church. To redeem them from that contempt, and to shew that they should be considerable in the State how little authority soever they were permitted to
1634 have in the Church, the King made the archbishop of St. Andrew's[3], a learned, wise and pious man, and of long experi-

[1] [William Forbes, appointed Jan. 26, 1634, who died Apr. 1 following.]

[2] [William Struther, the first dean, died almost immediately after his appointment, Nov. 9, 1633. He was succeeded by Thomas Sydserff, appointed Jan. 18, 1634.]

[3] [John Spottiswood.]

ence, Chancellor of the kingdom, (the greatest office, and which had never been in the hands of a churchman since the reformation of religion and suppressing the Pope's authority,) and four or five other bishops of the Privy Council or Lords of the Session; which his majesty presumed, by their power in the civil government and in the judicatories of the kingdom, would render them so much the more reverenced, and the better enable them to settle the affairs of the Church: which fell out otherwise too; and it had been better that envious promotion had been suspended till by their grave and pious deportment they had wrought upon their clergy to be better disposed to obey them, and upon the people to like order and discipline, and till by these means the liturgy had been settled and received amongst them; and then the advancing some of them to greater honour might have done well. 1633

184. But this unseasonable accumulation of so many honours upon them to which their functions did not entitle them, (no bishop having been so much as a Privy Councillor in very many years,) exposed them to the universal envy of the whole nobility, many whereof wished them well as to all their ecclesiastical qualifications, but could not endure to see them possessed of those offices and employments which they looked upon as naturally belonging to them; and then the number of them was thought too great, so that they overbalanced many debates; and some of them, by want of temper or want of breeding, did not behave themselves with that decency in their debates towards the greatest men of the kingdom as in discretion they ought to have done, and as the others reasonably expected from them: so that, instead of bringing any advantage to the Church or facilitating the good intentions of the King in settling order and government, it produced a more general prejudice to it; though for the present there appeared no sign of discontent, or ill-will to them; and the King left Scotland, as he believed, full of affection and duty to him, and well inclined to receive a liturgy when he should think it seasonable to commend it to them.

185. It was about the end of August in the year 1633 when

1633 the King returned from Scotland to Greenwich, where the Queen kept her Court; and the first accident of moment that happened after his coming thither was the death of Abbot, archbishop of Canterbury; who had sat too many years in that see, and had too great a jurisdiction over the Church, though he was without any credit in the Court from the death of King James, and had not much in many years before. He had been head or master of one of the poorest colleges in Oxford[1], and had learning sufficient for that province. He was a man of very morose manners and a very sour aspect, which in that time was called gravity; and under the opinion of that virtue, and by the recommendation of the earl of Dunbar, (the King's first Scotch favourite,) he was preferred by King James to the 1609 bishopric of Coventry and Litchfield, and presently after to 1610 London, before he had ever been parson, vicar, or curate of any parish-church in England, or dean or prebend of any cathedral church, and was in truth totally ignorant of the true constitution of the Church of England, and the state and interest of the clergy; as sufficiently appeared throughout the whole course of his life afterward.

186. He had scarce performed any part of the office of a bishop in the diocese of London when he was snatched from thence and promoted to Canterbury, upon the never enough 1610 lamented death of Dr. Bancroft, that metropolitan who understood the Church excellently, and had almost rescued it out of the hands of the Calvinian party, and very much subdued the unruly spirit of the Non-conformists, by and after the conference at Hampton Court; countenanced men of the greatest parts in learning, and disposed the clergy to a more solid course of study than they had been accustomed to; and if he had lived would quickly have extinguished all that fire in England which had been kindled at Geneva, or if he had been succeeded by bishop Andrewes, bishop Overall, or any man who understood and loved the Church, that infection would easily have been kept out which could not afterwards be so easily expelled.

187. But Abbot brought none of this antidote with him, and

[1] [University College, of which Abbot was Master from 1597 to 1609.]

considered Christian religion no otherwise than as it abhorred 1633
and reviled Popery, and valued those men most who did that most furiously. For the strict observation of the discipline of the Church, or the conformity to the Articles or Canons established, he made little inquiry and took less care; and having himself made a very little progress in the ancient and solid study of divinity, he adhered wholly to the doctrine of Calvin, and, for his sake, did not think so ill of the discipline as he ought to have done, but if men prudently forbore a public reviling and railing at the hierarchy and ecclesiastical government, let their opinions and private practice be what it would, they were not only secure from any inquisition of his but acceptable to him, and at least equally preferred by him. And though many other bishops plainly discerned the mischiefs which daily brake in to the prejudice of religion by his defects and remissness, and prevented it in their own dioceses as much as they could, and gave all their countenance to men of other parts and other principles; and though the bishop of London (Dr. Laud) from the time of his authority and credit with the King had applied all the remedies he could to those defections, and from the time of his being Chancellor of Oxford had much discountenanced and almost suppressed that spirit by encouraging another kind of learning and practice in that university, which was indeed according to the doctrine of the Church of England; yet that temper in the archbishop, whose house was a sanctuary to the most eminent of that factious party, and who licensed their most pernicious writings, left his successor a very difficult work to do, to reform and reduce a Church into order that had been so long neglected, and that was so ill inhabited by many weak and more wilful churchmen.

188. It was within one week after the King's return from Scotland that Abbot died at his house at Lambeth. And the Aug. 4.
King took very little time to consider who should be his successor, but the very next time the bishop of London (who was longer upon his way home than the King had been) came to him, his majesty entertained him very cheerfully with this compellation, 'My lord's grace of Canterbury, you are very

1633 welcome,' and gave order the same day for the despatch of all the necessary forms for the translation: so that within a month or thereabouts after the death of the other archbishop he was completely invested in that high dignity, and settled in his palace at Lambeth. This great prelate had been before in great favour with the duke of Buckingham, whose great confidant he was, and by him recommended to the King as fittest to be trusted in the conferring all ecclesiastical preferments, when he 1621 was but bishop of St. David's or newly preferred to Bath and 1626 Wells, and from that time he entirely governed that province without a rival; so that his promotion to Canterbury was long foreseen and expected, nor was it attended with any increase of envy or dislike.

189. He was a man of great parts, and very exemplar virtues, allayed and discredited by some unpopular[1] natural infirmities; the greatest of which was (besides a hasty, sharp way of expressing himself,) that he believed innocence of heart and integrity of manners was a guard strong enough to secure any man in his voyage through this world, in what company soever he travelled and through what ways soever he was to pass: and sure never any man was better supplied with that provision. He was born of honest parents, who were well able to provide for his education in the schools of learning, from whence they sent him to St. John's college in Oxford, the worst endowed at that time of any in that famous university. From a scholar he became a fellow, and then the president of that college, after he had received all the graces and degrees, the proctorship and the doctorship, could be obtained there. He was always maligned and persecuted by those who were of the Calvinian faction, which was then very powerful, and who, according to their useful maxim and practice, call every man they do not love, Papist; and under this senseless appellation they created him many troubles and vexations, and so far suppressed him that, though he was the King's chaplain and taken notice of for an excellent preacher and a scholar of the most sublime parts, he had not any preferment to invite him to leave his poor college, which

[1] ['unpopular' is substituted for 'ungracious' in the MS.]

only gave him bread, till the vigour of his age was past: and 1633
when he was promoted by King James, it was but to a poor bishopric in Wales, which was not so good a support for a bishop as his college was for a private scholar, though a doctor.

190. Parliaments in that time were frequent, and grew very busy; and the party under which he had suffered a continual persecution appeared very powerful and full of design, and they who had the courage to oppose them began to be taken notice of with approbation and countenance: and under this style he came to be first cherished by the duke of Buckingham, after he had made some experiments of the temper and spirit of the other people, nothing to his satisfaction. From this time he prospered at the rate of his own wishes, and being transplanted out of his cold barren diocese of St. David's into a warmer climate, he was left, as was said before, by that omnipotent favourite in that great trust with the King, who was sufficiently indisposed towards the persons or the principles of Mr. Calvin's disciples.

191. When he came into great authority, it may be he retained too keen a memory of those who had so unjustly and uncharitably persecuted him before, and, I doubt, was so far transported with the same passions he had reason to complain of in his adversaries, that, as they accused him of Popery because he had some doctrinal opinions which they liked not, though they were nothing allied to Popery, so he entertained too much prejudice to some persons as if they were enemies to the discipline of the Church, because they concurred with Calvin in some doctrinal points, when they abhorred his discipline, and reverenced the government of the Church, and prayed for the peace of it with as much zeal and fervency as any in the kingdom; as they made manifest in their lives, and in their sufferings with it and for it. He had, from his first entrance into the world, without any disguise or dissimulation, declared his own opinion of that *classis* of men; and as soon as it was in his power he did all he could to hinder the growth and increase of that faction, and to restrain those who were inclined to it from doing the mischief they desired to do. But his power at Court

1633 could not enough qualify him to go through with that difficult reformation whilst he had a superior in the Church, who, having the reins in his hand, could slacken them according to his own humour and indiscretion, and was thought to be the more remiss to irritate his choleric disposition. But when he had now the primacy in his own hand, the King being inspired with the same zeal, he thought he should be to blame, and have much to answer, if he did not make haste to apply remedies to those diseases which he saw would grow apace.

192. In the end of September of the year 1633 he was invested in the title, power and jurisdiction of archbishop of Canterbury, and entirely in possession of the revenue thereof, without a rival in Church or State, that is, no man professed to oppose his greatness; and he had never interposed or appeared in matter of State to this time. His first care was that the place he was removed from might be supplied with a man who would be vigilant to pull up those weeds which the London soil was too apt to nourish, and so drew his old friend and companion Dr. Juxon as near to him as he could. They had been fellows together in one college in Oxford, and, when he was first made bishop of St. David's, he made him president of that college: when he could no longer keep the deanery of the chapel royal, he made him his successor in that near attendance upon the King: and now he was raised to be archbishop, he easily prevailed with the King to make the other bishop of London, before, or very soon after, he had been consecrated bishop of Hereford, if he were more than elect of that church[1].

193. It was now a time of great ease and tranquillity; the King (as hath been said before) had made himself superior to all those difficulties and straits he had to contend with the four first years he came to the crown at home, and was now reverenced by all his neighbours, who all needed his friendship and desired to have it; the wealth of the kingdom notorious to all the world, and the general temper and humour of it little in-

[1] [Juxon was elected to Hereford at the end of Sept. 1633, but to London in the following month, confirmed Oct. 23, and consecrated Oct. 26.]

clined to the Papists and less to the Puritan. There were some late taxes and impositions introduced which rather angered than grieved the people, who were more than repaired by the quiet, peace and prosperity they enjoyed; and the murmur and discontent that was, appeared to be against the excess of power exercised by the Crown and supported by the judges in Westminster Hall. The Church was not repined at, nor the least inclination to alter the government and discipline thereof or to change the doctrine, nor was there at that time any considerable number of persons of any valuable condition throughout the kingdom who did wish either. And the cause of so prodigious a change in so few years after was too visible from the effects. The archbishop's heart was set upon the advancement of the Church, in which he well knew he had the King's full concurrence, which he thought would be too powerful for any opposition, and that he should need no other assistance. 1633

194. Though the nation generally, as was said before, was without any ill talent to the Church, either in the point of the doctrine or the discipline, yet they were not without a jealousy that Popery was not enough discountenanced, and were very averse from admitting any thing they had not been used to, which they called *innovation*, and were easily persuaded that any thing of that kind was but to please the Papists. Some doctrinal points in controversy had been in the late years agitated in the pulpits with more warmth and reflections than had used to be; and thence the heat and animosity increased in books *pro* and *con* upon the same arguments: most of the popular preachers, who had not looked into the ancient learning, took Calvin's word for it, and did all they could to propagate his opinions in those points: they who had studied more, and were better versed in the antiquities of the Church, the Fathers, the Councils and the ecclesiastical histories, with the same heat and passion in preaching and writing, defended the contrary.

195. But because, in the late dispute in the Dutch churches, those opinions were supported by Jacobus Arminius, the divinity professor in the university of Leyden in Holland, the latter

1633 men we mentioned were called Arminians, though many of them had never read word written by Arminius. Either side defended and maintained their different opinions as the doctrine of the Church of England, as the two great orders in the Church of Rome, the Dominicans and Franciscans, did at the same time, and had many hundred years before, with more vehemence and uncharitableness, maintained the same opinions one against the other; either party professing to adhere to the doctrine of the Catholic Church, which had been ever wiser than to determine the controversy. And yet that party here which could least support themselves with reason were very solicitous, according to the ingenuity they always practise to advance any of their pretences, to have the people believe that they who held with Arminius did intend to introduce Popery; and truly the other side was no less willing to have it thought that all who adhered to Calvin in those controversies did in their hearts adhere likewise to him with reference to the discipline, and desired to change the government of the Church, destroy the bishops, and so set up the discipline that he had established at Geneva. And so both sides found such reception generally with the people as they were inclined to the persons; whereas, in truth, none of the one side were at all inclined to Popery, and very many of the other were most affectionate to the peace and prosperity of the Church, and very pious and learned men.

196. The archbishop had all his life eminently opposed Calvin's doctrine in those controversies, before the name of Arminius was taken notice of or his opinions heard of; and thereupon, for want of another name, they had called him a Papist, which nobody believed him to be, and he had more manifested the contrary in his disputations and writings than most men had done; and it may be the other found the more severe and rigorous usage from him for their propagating that calumny against him. He was a man of great courage and resolution, and being most assured within himself that he proposed no end in all his actions or designs than what was pious and just, (as sure no man had ever a heart more entire to the

King, the Church, or his country,) he never studied the best ways to those ends; he thought, it may be, that any art or industry that way would discredit, at least make the integrity of the end suspected. Let the cause be what it will, he did court persons too little; nor cared to make his designs and purposes appear as candid as they were by shewing them in any other dress than their own natural beauty and roughness; and did not consider enough what men said or were like to say of him. If the faults and vices were fit to be looked into and discovered, let the persons be who they would that were guilty of them, they were sure to find no connivance of favour from him. He intended the discipline of the Church should be felt, as well as spoken of, and that it should be applied to the greatest and most splendid transgressors, as well as to the punishment of smaller offences and meaner offenders; and thereupon called for or cherished the discovery of those who were not careful to cover their own iniquities, thinking they were above the reach of other men[1], or their power and will to chastise. Persons of honour and great quality, of the Court and of the country, were every day cited into the High Commission court, upon the fame of their incontinence, or other scandal in their lives, and were there prosecuted to their shame and punishment: and as the shame (which they called an insolent triumph upon their degree and quality, and levelling them with the common people) was never forgotten, but watched for revenge, so the fines imposed there were the more questioned and repined against because they were assigned to the rebuilding and repairing St. Paul's church, and thought therefore to be the more severely imposed, and the less compassionately reduced and excused; which likewise made the jurisdiction and rigour of the Star Chamber more felt and murmured against, which sharpened many men's humours against the bishops before they had any ill intention towards the Church. 1633

197. There were three persons most notorious for their declared malice against the government of the Church by bishops in their several books and writings, which they had published

[1] ['men's,' MS.]

1637 to corrupt the people, with circumstances very scandalous and in language very scurrilous and impudent, which all men thought deserved very exemplary punishment. They were of three several professions which had the most influence upon the people, a divine, a common lawyer, and a doctor of physic; neither of them of interest or any esteem with the worthy part of their several professions, having been formerly all looked upon under characters of reproach: yet when they were all sentenced, and for the execution of that sentence brought out to be punished as common and signal rogues, exposed upon scaffolds to have their ears cut off and their faces and foreheads branded with hot irons, as the poorest and most mechanic malefactors used to be when they were not able to redeem themselves by any fine for their trespasses or to satisfy any damages for the scandals they had raised against the good name and reputation of others, men began no more to consider their manners, but the men; and every profession, with anger and indignation enough, thought their education and degrees and quality would have secured them from such infamous judgments, and treasured up wrath for the time to come.

198. The remissness of Abbot, and of other bishops by his example, had introduced, or at least connived at, a negligence that gave great scandal to the Church, and no doubt offended very many pious men. The people took so little care of the churches, and the parsons as little of the chancels, that, instead of beautifying or adorning them in any degree, they rarely provided for their stability and against the very falling of very many of their churches; and suffered them, at least, to be kept so indecently and slovenly that they would not have endured it in the ordinary offices of their own houses; the rain and the wind to infest them, and the Sacraments themselves to be administered where the people had most mind to receive them. This profane liberty and uncleanliness the archbishop resolved to reform with all expedition, requiring the other bishops to concur with him in so pious a work; and the work sure was very grateful to all men of devotion; yet, I know not how, the prosecution of it, with too much affectation of expense, it may

be, or with too much passion between the minister and the parishioners, raised an evil spirit towards the Church, which the enemies of it took much advantage of as soon as they had opportunity to make the worst use of it. 1637

199. The removing the Communion table out of the body of the church, where it had used to stand and used to be applied to all uses, and fixing it to one place in the upper end of the chancel, which frequently made the buying a new table to be necessary; the inclosing it with a rail of joiner's work, and thereby fencing it from the approach of dogs, and all servile uses; the obliging all persons to come up to those rails to receive the Sacrament; how acceptable soever to grave and intelligent persons who loved order and decency, (for acceptable it was to such,) yet introduced, first, murmurings amongst the people, upon the very charge and expense of it, and, if the minister were not a man of discretion and reputation to compose and reconcile those indispositions, (as too frequently he was not, and rather inflamed and increased the distemper,) it begat suits and appeals at law. The opinion that there was no necessity of doing any thing, and the complaint that there was too much done, brought the power and jurisdiction to impose the doing of it to be called in question, contradicted, and opposed. Then the manner and gesture and posture in the celebration of it brought in new disputes, and administered new subjects of offence, according to the custom of the place and humour of the people; and those disputes brought in new words and terms (*altar*, and *adoration*, and *genuflexion*, and other expressions) for the more perspicuous carrying on those disputations; new books were written for and against this new practice, with the same earnestness and contention for victory as if the life of Christianity had been at stake. There was not an equal concurrence in the prosecution of this matter amongst the bishops themselves; some of them proceeding more remissly in it, and some not only neglecting to direct any thing to be done towards it, but restraining those who had a mind to it from meddling in it. And this again produced as inconvenient disputes, when the

1637 subordinate clergy would take upon them not only without the direction of, but expressly against, the diocesan's injunctions, to make those alterations and reformations themselves, and by their own authority.

200. The archbishop, guided purely by his zeal and reverence for the place of God's service, and by the canons and injunctions of the Church, with the custom observed in the King's chapel and in most cathedral churches, without considering the long intermission and discontinuance in many other places, prosecuted this affair more passionately than was fit for the season, and had prejudice against those who, out of fear or foresight or not understanding the thing, had not the same warmth to promote it. The bishops who had been preferred by his favour, or hoped to be so, were at least as solicitous to bring it to pass in their several dioceses, and some of them with more passion and less circumspection than they had his example for or than he approved; prosecuting those who opposed them very fiercely, and sometimes unwarrantably, which was kept in remembrance. Whilst other bishops, not so many in number or so valuable in weight, who had not been beholding to [him][1] nor had hope of being so, were enough contented to give perfunctory orders for the doing it and to see the execution of those orders not intended, and not the less pleased to find that the prejudice of that whole transaction reflected solely upon the archbishop.

201. The bishop of Lincoln (Williams) who had been heretofore Lord Keeper of the Great Seal of England, and the most generally abominated whilst he had been so, was, since his disgrace at Court and prosecution from thence, become very popular; and having faults enough to be ashamed of, the punishment whereof threatened him every day, he was very willing to change the scene, and to be brought upon the stage for opposing these *innovations* (as he called them) in religion. It was an unlucky word, and cozened very many honest men into apprehensions very prejudicial to the King and to the Church. He published a discourse and treatise against the

[1] ['them,' MS.]

matter and manner of the prosecution of that matter[1]; a book 1637
so full of good learning, and that learning so close and solidly applied, (though it abounded with too many light expressions,) that it gained him reputation enough to be able to do hurt, and shewed that in his retirement he had spent his time with his books very profitably. He used all the wit and all the malice he could to awaken the people to a jealousy of these agitations and innovations in the exercise of religion; not without insinuations that it aimed at greater alterations, for which he knew the people would quickly find a name; and he was ambitious to have it believed that the archbishop was his greatest enemy for his having constantly opposed his rising to any government in the Church, as a man whose hot and hasty spirit he had long known.

202. Though there were other books written with good learning, and which sufficiently answered the bishop's book, and to men of equal and dispassionate inclinations fully vindicated the proceedings which had been and were still very fervently carried on, yet it was done by men whose names were not much reverenced by many men, and who were taken notice of with great insolence and asperity to undertake the defence of all things which the people generally were displeased with, and who did not affect to be much cared for by those of their own order. So that from this unhappy subject, not in itself of that important value to be either entered upon with that resolution or to be carried on with that passion, proceeded upon the matter a schism among the bishops themselves, and a world of uncharitableness in the learned and moderate clergy towards one another: which, though it could not increase the malice, added very much to the ability and power of the enemies of the Church to do it hurt, and added to the number of them. For, without doubt, many who loved the established government of the Church and the exercise of religion as it was used, and desired not a change in either, nor did dislike the order and decency which they saw mended, yet they liked not any novelties, and so were liable to entertain

[1] [*The Holy Table; name and thing*, 4°. n. p. 1637.]

1637 jealousies that more was intended than was hitherto proposed; especially when those infusions proceeded from men unsuspected to have any inclinations to change, and from known assertors of the government both in Church and State. They did observe the inferior clergy took more upon them than they had used to do, and did not live towards their neighbours of quality or their patrons themselves with that civility and condescension they had used to do; which disposed them likewise to a withdrawing their good countenance and good neighbourhood from them.

203. The archbishop had not been long at Canterbury when 1634 there was another great alteration in the Court by the death of the earl of Portland, High Treasurer of England; a man so jealous of the archbishop's credit with the King that he always endeavoured to lessen it by all the arts and ways he could; which he was so far from effecting that, as it usually falls out when passion and malice make the accusation, by suggesting many particulars which the King knew to be untrue or believed to be no faults, he rather confirmed his majesty's judgment of him and prejudiced his own reputation. His death caused no grief in the archbishop; who was upon it made one of the Commissioners of the Treasury and revenue, which he had reason to be sorry for, because it engaged him in civil business and matters of state in which he had little experience and which he had hitherto avoided. But being obliged to it now by his trust, he entered upon it with his natural earnestness and warmth, making it his principal care to advance and improve the King's revenue by all the ways which were offered, and so hearkened to all informations and propositions of that kind; and having not had experience of that tribe of people who deal in that traffick, (a confident, senseless, and for the most part a naughty, people,) he was sometimes misled by them to think better of some projects than they deserved: but then he was so entirely devoted to what would be beneficial to the King that all propositions and designs which were for the profit only or principally of particular persons, how great soever, were opposed and crossed,

and very often totally suppressed and stifled in their birth, 1637
by his power and authority; which created him enemies enough in the Court, and many of ability to do mischief, who well knew how to recompense discourtesies, which they always called injuries.

204. And the revenue of too many of the Court consisted principally in enclosures, and improvements of that nature, which he still opposed passionately except they were founded upon law; and then, if it would bring profit to the King, how old and obsolete soever the law was, he thought he might justly advise the prosecution. And so he did a little too much 1636-40
countenance the Commission for Depopulation, which brought much charge and trouble upon the people, which was likewise cast upon his account.

205. He had observed, and knew it must be so, that the principal officers of the revenue, who governed the affairs of money, had always access to the King, and spent more time with him in private than any of his servants or councillors, and had thereby frequent opportunities to do good or ill offices to many men; of which he had had experience when the earl of Portland was Treasurer, and the lord Cottington Chancellor of the Exchequer, neither of them being his friends; and the latter still enjoying that place, and having his former access, and so continuing a joint Commissioner of the Treasury with him, and understanding that province much better, he still opposed, and commonly carried every thing against him: so that he was weary of the toil and vexation of that business; as all other men were, and still are, of the delays which are in all despatches whilst that office is executed by commission.

206. The Treasurer's is the greatest office of benefit in the kingdom, and the chief in precedence next the archbishop and the Great Seal, so that the eyes of all men were at gaze who should have this great office; and the greatest of the nobility who were in the chiefest employments looked upon it as the prize of one of them, such offices commonly making way for more removes and preferments: when on a sudden the staff was put into the hands of the bishop of London, 1635

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1635 a man so unknown that his name was scarce heard of in the kingdom, who had been within two years before but a private chaplain to the King and the president of a poor college in Oxford. This inflamed more men than were angry before, and no doubt did not only sharpen the edge of envy and malice against the archbishop, (who was the known architect of this new fabric,) but most unjustly indisposed many towards the Church itself, which they looked upon as the gulph ready to swallow all the great offices, there being others in view, of that robe, who were ambitious enough to expect the rest.

207. In the mean time the archbishop himself was infinitely pleased with what was done, and unhappily believed he had provided a stronger support for the Church; and never abated any thing of his severity and rigour towards men of all conditions, or in the sharpness of his language and expressions, which was so natural to him that he could not debate any thing without some commotion when the argument was not of moment, nor bear contradiction in debate, even in the Council where all men are equally free, with that patience and temper that was necessary; of which they who wished him not well took many advantages, and would therefore contradict him that he might be transported with some indecent passion; which, upon a short recollection, he was always sorry for, and most readily and heartily would make acknowledgment. No man so willingly made unkind use of all those occasions as the lord Cottington, who, being a master of temper, and of the most profound dissimulation, knew too well how to lead him into a mistake, and then drive him into choler, and then expose him upon the matter and the manner to the judgment of the company, and he chose to do this most when the King was present; and then he would dine with him the next day.

1636 208. The King, who was excessively affected to hunting and the sports of the field, had a great desire to make a great park for red as well as fallow deer between Richmond and Hampton Court, where he had large wastes of his own and great parcels of wood, which made it very fit for the use he

designed it to: but as some parishes had common in those wastes, so many gentlemen and farmers had good houses and good farms intermingled with those wastes, of their own inheritance or for lives or years; and without taking in of them into the park, it would not be of the largeness or for the use proposed. His majesty desired to purchase those lands, and was very willing to buy [them][1] upon higher terms than the people could sell [them][1] at to any body else if they had occasion to part with [them][1], and thought it no unreasonable thing upon those terms to expect from his subjects; and so he employed his own surveyor and other of his officers to treat with the owners, many whereof were his own tenants whose terms would at last expire. 1636

209. The major part of the people were in a short time prevailed with, but many very obstinately refused; and a gentleman who had the best estate, with a convenient house and gardens, would by no means part with it; and the King being as earnest to compass it, [it] made a great noise, as if the King would take away men's estates at his own pleasure. The bishop of London, who was Treasurer, and the lord Cottington, Chancellor of the Exchequer, were, from the first entering upon it, very averse from the design, not only for the murmur of the people but because the purchase of the land, and the making a brick-wall about so large a parcel of ground, (for it is not less than ten or twelve miles about,) would cost a greater sum of money than they could easily provide, or than they thought ought to be sacrificed to such an occasion; and the lord Cottington (who was more solicited by the country people, and heard most of their murmurs) took the business most to heart, and endeavoured by all the ways he could and by frequent importunities to divert his majesty from pursuing [it], and put all delays he could well do in the bargains which were to be made, till the King grew very angry with him, and told him he was resolved to go through with it, and had already caused brick to be burned, and much of the

[1] ['it,' MS.]

1636 wall to be built upon his own land; upon which Cottington thought fit to acquiesce.

210. The building the wall before people consented to part with their land or their common looked to them as if by degrees they should be shut out from both, and increased the murmur and noise of the people who were not concerned as well as of them who were, and it was too near London not to be the common discourse; and the archbishop (who desired exceedingly that the King should be possessed as much of the hearts of the people as was possible, at least that they should have no just cause to complain) meeting with it, resolved to speak with the King of it; which he did, and received such an answer from him that he thought his majesty rather not informed enough of the inconveniences and mischiefs of the thing than positively resolved not to desist from it. Whereupon one day he took the lord Cottington aside, (being informed that he disliked it,) and, according to his natural custom, spake with great warmth against it, and told him, 'he should do very well to give the King good counsel, and to withdraw him from a resolution in which his honour and his justice was so much called in question.' Cottington answered him very gravely, 'that the thing designed was very lawful, and he thought the King resolved very well, and, since the place lay so conveniently for his winter exercise, and that he should by it not be compelled to make so long journeys as he used to do in that season of the year for his sport, that[1] nobody ought to dissuade him from it.'

211. The archbishop, instead of finding a concurrence from him as he expected, seeing himself reproached upon the matter for his opinion, grew into much passion, telling him 'such men as he would ruin the King, and make him lose the affections of his subjects; that for his own part, as he had begun so he would go on to dissuade the King from proceeding in so ill a counsel, and that he hoped it would appear who had been his counsellor.' Cottington, glad to see him so soon hot,

[1] ['and that,' MS.]

and resolved to inflame him more, very calmly replied to him 1636
that 'he thought a man could not with a good conscience hinder the King from pursuing his resolution, and that it could not but proceed from want of affection to his person, and he was not sure that it might not be high treason.' The other, upon the wildness of his discourse, in great anger asked him, 'Why? from whence he had received that doctrine?' He said, with the same temper, 'They who did not wish the King's health could not love him; and they who went about to hinder his taking recreation which preserved his health might be thought, for aught he knew, guilty of the highest crimes.' Upon which the archbishop in great rage, and with many reproaches, left him, and either presently or upon the next opportunity told the King that he now knew who was his great counsellor for making his park, and that he did not wonder that men durst not represent any arguments to the contrary, or let his majesty know how much he suffered in it, when such principles in divinity and law were laid down to terrify them; and so recounted to him the conference he had with the lord Cottington, bitterly inveighing against him and his doctrine, mentioning him with all the sharp reproaches imaginable, and beseeching his majesty that his counsel might not prevail with him, taking some pains to make his conclusions appear very false and ridiculous.

212. The King said no more but, 'My lord, you are deceived; Cottington is too hard for you: upon my word, he hath not only dissuaded me more, and given more reasons against this business, than all the men in England have done, but hath really obstructed the work by not doing his duty as I commanded him, for which I have been very much displeased with him; you see how unjustly your passion hath transported you.' By which reprehension he found how much he had been abused, and resented it accordingly[1].

213. Whatsoever was the cause of it, this excellent man, who

[1] [Richmond New Park was commenced in 1636 and completed in 1638. Jerome, second earl of Portland, was appointed ranger June 11 in the latter year.]

1636 stood not upon the advantage ground before, from the time of his promotion to the archbishopric, or rather from that of his being Commissioner of the Treasury, exceedingly provoked or underwent the envy and reproach and malice of men of all qualities and conditions, who agreed in nothing else: all which, though well enough known to him, were not enough considered by him, who believed the government to be so firmly settled that it could neither be shaken from within or without, (as most men did,) and that less than a general confusion of Law and Gospel could not hurt him, (which was true too): but he did not foresee how easily that confusion might be brought to pass, as it proved shortly to be. And with this general observation of the outward visible prosperity, and the inward reserved disposition of the people to murmur and unquietness, we conclude this first book.

THE END OF THE FIRST BOOK.

BOOK II.

1. [1] It was towards the end of the year 1633 [2], when the King returned from Scotland, having left it to the care of some of the bishops there to provide such a Liturgy and such a book of Canons as might best suit the nature and humour of the better sort of that people, to which the rest would easily submit: and that, as fast as they made them ready, they should transmit them to the archbishop of Canterbury, to whose assistance the King joined the bishop of London, and doctor Wrenn, who by that time was become bishop of Norwich [3], (a man of a severe, sour nature, but very learned, and particularly versed in the old liturgies of the Greek and Latin Churches); and after his majesty should be this way certified of what was so sent, he would both recommend and enjoin the practice and use of both to that his native kingdom. The bishops there had somewhat to do before they went about the preparing the Canons and the Liturgy; what had passed at the King's being there in Parliament had left bitter inclinations and unruly spirits in many of the most popular nobility, who watched only for an opportunity to inflame the people, and were well enough contented to see combustible matter every day gathered together to contribute to that fire. 1633 July 16–20

2. The promoting so many bishops to be of the Privy Council and to sit in the courts of Justice seemed at first wonderfully to facilitate all that was in design, and to create an affection and reverence towards the Church, at least an application to and dependence upon the greatest churchmen. So that there seemed to be not only a good preparation made with the people,

[1] [From the MS. of the *Life*, p. 76.]

[2] [An earlier statement in the *Life* is more approximately correct: 'It was about the end of August in the year 1633.']

[3] [Wren was then bishop of Hereford. He was not translated to Norwich until Nov. 1635.]

1633 but a general expectation, and even a desire, that they might have a Liturgy, and more decency observed in the Church. And this temper was believed to be the more universal because neither from any of the nobility nor of the clergy, who were thought most averse from it, there appeared any sign of contradiction, nor that license of language against it as was natural to that nation, but an entire acquiescence in all the bishops thought fit to do; which was interpreted to proceed from a conversion in their judgment, at least to a submission to the authority: whereas, in truth, it appeared afterwards to be from the observation they made, from the temper and indiscretion of those bishops in the greatest authority, that they were like to have more advantages administered to them by their ill managery than they could raise by any contrivance of their own.

1635 3. It was full two years, or very near so much, before the bishops in Scotland had prepared anything to offer to the King towards their intended reformation; and then they inverted the proper method, and first presented a body of Canons to precede the Liturgy, which was not yet ready, they choosing to finish the shorter work first. The King referred the consideration of the Canons, as he had before resolved to do, to the archbishop and the other two bishops formerly named, the bishop of London and the bishop of Norwich; who, after their perusal of them and some alterations made with the consent of those bishops who brought them from Scotland, returned them to the King; and his majesty, impatient to see the good work entered upon, without any other ceremony (after having given
May 23 his royal approbation) issued out his proclamation for the due observation of them within his kingdom of Scotland.

4. It was a fatal inadvertency that, neither before nor after these Canons were sent to the King, they were never seen by the Assembly, or any convocation of the clergy which was so strictly obliged to the observation of them, nor so much as communicated to the lords of the Council of that kingdom; it being almost impossible that any new discipline could be introduced into the Church which would not much concern the

government of the State, and even trench upon or refer to the 1635
municipal laws of the kingdom. And, in this consideration, the archbishop of Canterbury had always declared to the bishops of Scotland, that it was their part to be sure that nothing they should propose to the King in the business of the Church should be contrary to the laws of the land, (which he could not be thought to understand); and that they should never put any thing in execution without the consent and approbation of the Privy Council. But it was the unhappy craft of those bishops to get it believed by the King that the work would be grateful to the most considerable of the nobility, the clergy, and the people, (which they could hardly believe,) in order to the obtaining his majesty's approbation and authority for the execution of that which they did really believe would not find opposition from the nobility, clergy, or people, against his majesty's express power and will, which without doubt was then in great veneration in that kingdom; and so they did not in truth dare to submit those Canons to any other examination than what the King should direct in England.

5. It was, in the next place, as strange, that those Canons should be published before the Liturgy was prepared, (which was not ready in a year after, or thereabouts,) when three or four of the Canons were principally for the observation and punctual compliance with the Liturgy; which all the clergy were to be sworn to submit to, and to pay all obedience to what was enjoined by it, before they knew what it contained. Whereas if the Liturgy had been first published with all due circumstances, it is possible that it might have found a better reception, and the Canons less examined.

6. The Scotch nation, how capable soever it was of being led by some great men and misled by the clergy, would have been corrupted by neither into a barefaced rebellion against their King, whose person they loved and reverenced his government, nor could they have been wrought upon towards the lessening the one or the other, by any other suggestions or infusions than such as should make them jealous or apprehensive of a design to introduce Popery; their whole religion consisting in an

1635 entire detestation of Popery, in believing the Pope to be Antichrist, and hating perfectly the persons of all Papists, and, I doubt, all others who did not hate them.

7. The Canons now published, besides (as hath been touched before) that they had passed no approbation of the clergy, or been communicated to the Council, appeared to be so many new laws imposed upon the whole kingdom by the King's sole authority, and contrived by a few private men of whom they had no good opinion, and who were strangers to the nation; so that it was no other than a subjection to England, by receiving laws from thence, of which they were most jealous and which they most passionately abhorred. Then they were so far from being confined to the Church and the matters of religion, that they believed there was no part of their civil government uninvaded by them, and no persons of what quality soever unconcerned and, as they thought, unhurt in them. And there were some things in some particular Canons, how rational soever in themselves, and how distant soever in the words and expressions from inclining to Popery, which yet gave too much advantage to those who maliciously watched the occasion to persuade weak men that it was an approach and introduction to that religion, the very imagination whereof intoxicated all men and deprived them of all faculties to examine and judge.

8. The first Canon defined and determined such an illimited power and prerogative to be in the King, according to the pattern (in express terms) of the kings of Israel, and such a full supremacy in all causes ecclesiastical, as hath never been pretended to by their former kings or submitted to by the clergy and laity of that nation. And, which made impression upon men of all tempers, humours, and inclinations, that no ecclesiastical person should become surety or bound for any man[1]; that national or general assemblies should be called only by the King's authority[2]; that all bishops and other ecclesiastical

[1] ['No presbyter shall hereafter become surety or cautioner for any person whatsoever in civil bonds or contracts.' Chap. iv.]

[2] [The terms of the Canon in chap. viii. do not precisely coincide with the version in the text; they only prescribe that 'national synods, called by his majesty's authority, shall bind all persons.']

persons who die without children should be obliged to give a 1635
good part of their estates to the Church, and, though they should have children, yet to leave somewhat to the Church and for advancement of learning [1]; seemed rather to be matter of state and policy than of religion, thwarted their laws and customs which had been observed by them, lessened, if not took away, the credit of churchmen, and prohibited them from that liberty of commerce in civil affairs which the laws permitted to them, and reflected upon the interests of those who had, or might have, a right to inherit from clergymen. That none should receive the Sacrament but upon their knees [2]; that the clergy should have no private meetings for expounding Scripture or for consulting upon matters ecclesiastical [3]; that no man should cover his head in the time of divine service [4]; and that no man should 'conceive prayers *ex tempore*,' but be bound to pray only by the form prescribed in the Liturgy [5], (which, by the way, was not seen or framed); and that no man should teach a public school, or in any private house, without a license first obtained from the archbishop of the province or the bishop of the diocese [6]; all these were new, and things with which they had not been acquainted; and though they were all fit to be commended to a regular and orderly people, piously disposed, yet it was too strong meat for infants in discipline, and too much nourishment to be administered at once to weak and queasy stomachs, too much inclined to nauseate what was most wholesome.

9. But then, to apply the old terms of the Church; to mention the *quatuor tempora* [7], and restrain all ordinations to those four seasons of the year; to enjoin a font to be prepared in every church for Baptism, and a decent table for the Communion, and to direct and appoint the places where both font and table

[1] [—'advancement of religion.' Chap. xvii.]
[2] ['with the bowing of the knee.' Chap. vi.]
[3] [Chap. viii.]
[4] [—'except he have some infirmity.' Chap. ix.]
[5] [Chap. ix.]
[6] [Chap. x.]
[7] [Not under that name. The terms of the Canon are: 'All ordinations shall be made at four times in the year, to wit, the first weeks of March, June, September, and December.' Chap. ii.]

1635 should stand, and decent ornaments for either[1]; to restrain any excommunication from being pronounced, or absolution from being given, without the approbation of the bishop[2]; to mention any practice of confession, (which they looked upon as the strongest and most inseparable limb of Antichrist,) and to enjoin that no presbyter should reveal any thing he should receive in confession, except in such cases where by the law of the land his own life should be forfeited[3]; were all such matters of innovation, and in their nature so suspicious, that they thought they had reason to be jealous of the worst that could follow. And the last canon of all[4] provided, That no person should be received in holy orders, or suffered to preach or administer the Sacrament, without first subscribing to these Canons.

10. It was now easy for them who had those inclinations to suggest to men of all conditions that here was an entire new model of government in Church and State; the King might do what he would upon them all, and the Church was nothing but what the bishops would have it be: which they every day infused into the minds of the people, with all the art and artifices which administer jealousies of all kinds to those who were liable to be disquieted with them: yet they would not suffer (which shewed wonderful power and wonderful dexterity) any disorder to break out upon all this occasion, but all was quiet, except spreading of libels against the bishops, and propagating that spirit as much as they could by their correspondence in England, where they found too many every day transported by the same infusions, in expectation that these seeds of jealousy from the Canons would grow apace and produce a proper reception for the Liturgy.

1637 11. It was about the month of July in the year 1637 that the Liturgy (after it had been sent out of Scotland, and perused by the three bishops in England, and then approved and confirmed by the King) was published, and appointed to be read in all the

[1] [Chap. xvi.]

[2] [The limitation with respect to absolution applies only to the case of a person betaking himself to another diocese. Chap. xviii.]

[3] [—'may be called in question.' Chap. xviii.]

[4] [Not the last Canon, but section 10 in chap. ii.]

churches. And in this particular there was the same affected 1637
and premeditated omission as had been in the preparation and publication of the Canons; the clergy not at all consulted in it, and, which was more strange, not all the bishops acquainted with it, which was less censured afterwards when some of them renounced their function and became ordinary presbyters, as soon as they saw the current of the time. The Privy Council had no other notice of it than all the kingdom had, the Sunday before, when it was declared that the next Sunday the Liturgy should be read; by which they were the less concerned to foresee or prevent any obstructions which might happen.

12. The proclamation had appointed it to be read the Easter before, but the earl of Trequare [Traquair], High Treasurer of Scotland, (who was the only counsellor or layman relied upon by the archbishop of Canterbury in that business) persuaded the King to defer it till July, that some good preparation might be made for the more cheerful reception of it. And as this pause gave the discontented party more heart and more time for their seditious negociations, so the ill consequences of it, or the actions which were subsequent to it, made him suspected to be privy to all the conspiracy, and in truth to be an enemy to the Church; though, in truth, there neither appeared then, nor in all the very unfortunate part of his life afterwards, any just ground for that accusation and suspicion: but as he was exceedingly obliged to the archbishop, so he was a man of great parts, and well affected to the work in hand in his own judgment; and if he had been as much depended upon to have advised the bishops in the prosecution and for the conduct of it, as he was to assist them in the carrying on whatsoever they proposed, it is very probable that either so much would not have been undertaken together, or that it would have succeeded better; for he was without doubt not inferior to any man of that nation in wisdom and dexterity. And though he was often provoked by the insolence and petulance of some of the bishops to a dislike of their overmuch fervour and too little discretion, his integrity to the King was without blemish, and his affection to the Church so notorious that he never deserted it till both it

1637 and he were overrun and trod under foot; and they who were the most notorious persecutors of it never left persecuting him to the death.

13. Nor was any thing done which he had proposed for the better adjusting things in that time of that suspension, but every thing left in the same state of unconcernedness as it had been hitherto, not so much as the Council being better informed of it; as if they had been sure that all men would have submitted to it for conscience sake.

July 23 14. On the Sunday morning appointed for the work, the Chancellor of Scotland[1] and others of the Council being present in the cathedral church, the dean[2] began to read the Liturgy, which he had no sooner entered upon but a noise and clamour was raised throughout the church that no voice could be heard distinctly, and then a shower of stones and sticks and cudgels were thrown at the dean's head. The bishop went up into the pulpit, and from thence put them in mind of the sacredness of the place, of their duty to God and the King: but he found no more reverence, nor was the clamour or disorder less than before. The Chancellor, from his seat, commanded the provost and magistrates of the city to descend from the gallery in which they sat and by their authority to suppress the riot; which at last with great difficulty they did, by driving out the rudest of those who made the disturbance out of the church and shutting the doors, which gave the dean occasion to proceed in the reading of the Liturgy, which was not at all intended or hearkened to by those who remained within the church; and if it had, they who were turned out continued their barbarous noise, brake the windows, and endeavoured to break down the doors; so that it was not possible for any to follow their devotion.

15. When all was done that at that time could be done there, and the Council and magistrates went out of the church to their houses, the rabble followed the bishops with all the opprobrious language they could invent, of bringing in superstition and Popery into the kingdom, and making the people slaves; and were not content to use their tongues, but employed their hands too in

[1] [archbishop Spottiswood.] [2] [James Hannay.]

throwing dirt and stones at them, and treated the bishop of Edinburgh, (whom they looked upon as most active that way,) so rudely that with great difficulty he got into a house after they had torn his habit, and was from thence removed to his own with great hazard of his life. As this was the reception it had in the cathedral, so it fared not better in the other churches in the city, but was entertained with the same hollowing and outcries, and threatening the men whose office it was to read it, with the same bitter execrations against bishops and Popery. 1637

16. Hitherto no person of condition or name appeared, or seemed to countenance this seditious confusion; it was the rabble, of which nobody was named, and, which is more strange, not one apprehended: and it seems the bishops thought it not of moment enough to desire or require any help or protection from the Council, but, without conferring with them or applying themselves to them, they despatched away an express to the King with a full and particular information of all that had passed, and a desire that he would take that course he thought best for the carrying on his service.

17. Until this advertisement arrived from Scotland there were very few in England who had heard of any disorders there, or of any thing done there which might produce any. The King himself had been always so jealous of the privileges of that his native kingdom, (as hath been touched before,) and that it might not be dishonoured by a suspicion of having any dependence upon England, that he never suffered any thing relating to that to be debated or so much as communicated to his Privy Council in this, (though many of that nation were, without distinction, Councillors of England,) but handled all those affairs himself with two or three Scotchmen who always attended in the Court for the business of that kingdom, which was upon the matter still despatched by the sole advice and direction of the marquis of Hambleton.

18. And the truth is, there was so little curiosity either in the Court or the country to know any thing of Scotland, or what was done there, that when the whole nation was solicitous to

1637 know what passed weekly in Germany and Poland and all other parts of Europe, no man ever inquired what was doing in Scotland, nor had that kingdom a place or mention in one page of any gazette, so little the world heard or thought of that people; and even after the advertisement of this preamble to rebellion, no mention was made of it at the Council-board, but such a despatch made into Scotland upon it as expressed the King's dislike and displeasure and obliged the lords of the Council there to appear more vigorously in the vindication of his authority and suppression of those tumults. But all was too little. That people, after they had once begun, pursued the business vigorously, and with all imaginable contempt of the government; and though in the hubbub of the first day there appeared nobody of name or reckoning, but the actors were really of the dregs of the people, yet they discovered by the countenance of that day that few men of rank were forward to engage themselves in the quarrel on the behalf of the bishops; whereupon more considerable persons every day appeared against them, and, as heretofore in the case of St. Paul, (Acts xiii. 50,) *the Jews stirred up the devout and honourable women*, the women and ladies of the best quality declared themselves of the party, and with all the reproaches imaginable made war upon the bishops as introducers of Popery and superstition, against which they avowed themselves to be irreconcilable enemies: and their husbands did not long defer the owning the same spirit; insomuch as within few days the bishops durst not appear in the streets nor in any courts or houses, but were in danger of their lives; and such of the lords as durst be in their company, or seemed to desire to rescue them from violence, had their coaches torn in pieces and their persons assaulted, insomuch as they were glad to send for some of those great men who did indeed govern the rabble though they appeared not in it, who readily came and redeemed them out of their hands. So that by the time new orders came from England, there was scarce a bishop left in Edinburgh, and not a minister who durst read the Liturgy in any church.

19. All the kingdom flocked to Edinburgh, as in a general cause that concerned their salvation, and resolved themselves into a method of government, erected several Tables, in which deputies sat for the nobility, the gentlemen, the clergy, and the burgesses; out of either of which Tables a council was elected to conduct their affairs, and a petition drawn up in the names of the nobility, lairds, clergy, and burgesses, to the King, complaining of the introduction of Popery, and many other grievances. And if the Lords of the Council issued out any order against them, or if the King himself sent a proclamation for their repair to their houses and for the preservation of peace, presently some nobleman deputed by the Tables published a protestation against those orders and proclamations, with the same confidence and with as much formality as if the government were regularly in their hands. 1637 Nov. 15.

20. They called a General Assembly, whither they summoned the bishops to appear before them, and for not appearing excommunicated them; and then they united themselves by subscribing a Covenant, which they pretended, with their usual confidence, to be no other than had been subscribed in the reign of King James, and that his majesty himself had subscribed it; by which imposition people of all degrees, supposing it might be a means to extinguish the present fire, with all alacrity engaged themselves in it; whereas, in truth, they had inserted a clause never heard of, and quite contrary to the end of that Covenant, whereby they obliged themselves to pursue the extirpation of bishops[1], and had the impudence to demand the same in express terms of the King, in answer to a very gracious message the King had sent to them. They published bitter invectives against the bishops and the whole government of the Church, which they were not contented to send only into England to kindle the same fire there, but, with their letters, sent them to all the Reformed Churches, by which they raised so great a prejudice 1638 Nov. 21. Feb. 28. Dec. 20.

[1] [Not in the Covenant itself, but the Assembly declared (Act of Dec. 8) that Episcopacy was included in the renunciation of the Pope's 'wicked hierarchy,' etc., and this was afterwards added in a postscript.]

1638 to the King that too many of them believed that the King had a real design to change religion and to introduce Popery.

21. It is very true there were very many of the nobility and persons of principal quality of that nation, and in Edinburgh at that time, who did not appear yet, and concur in this seditious behaviour, or own their being yet of their party, but on the contrary seemed very much to dislike their proceedings: but it is as true that very few had the courage to do any thing in opposition of them, or to concur in the prosecution of any regal act against them; and did in some respects more advance their designs than if they had manifestly joined with them. For these men, many of whom were of the Council, by all their letters into England exceedingly undervalued the disorder, as being very easy to be suppressed in a short time when the people's eyes should be opened, and that the removing the courts to some other place, and a gracious condescension in the King in offering pardon for what was past, would suddenly subdue them, and every body would return to his duty. And the city of Edinburgh itself writ an humble letter to the archbishop of Canterbury himself, excusing the disorders which had been raised by the ignorance and rudeness of the meanest of the people, besought him to intercede with his majesty for the suspension of his prejudice to them, till they should manifest their duty to him by taking exemplary punishment upon the chief offenders, and causing the Liturgy to be received and submitted to in all their churches, which they professed they would in a short time bring to pass. So that by this means, and the interposition of all those of that nation who attended upon his majesty in his bed-chamber and in several offices at Court, who all undertook to know by their intelligences that all was quiet or would speedily be so, his majesty (who well knew that they who appeared most active in this confederacy were much inferior to those who did not appear, and who professed great zeal for his service) hardly prevailed with himself to believe that he could receive any disturbance from thence till he found all his condescensions had raised their insolence, all his offers

1637 Aug. 19 and Sept. 26.

rejected, and his proclamation of pardon slighted and con- 1638
temned; and that they were listing men towards the raising an army under the obligation of their Covenant, and had already chosen colonel Lashly, [Lesley,] a soldier of that nation of long experience and eminent command under the king of Sweden in Germany, to be their general; who, being lately disobliged (as they called it) by the King, that is, denied somewhat he had a mind to have[1], which to that people was always the highest injury, had accepted of the command. Then the King thought it time to resort to other counsels, and to provide force to chastise them who had so much despised all the gentler remedies.

22. He could now no longer defer the acquainting his Council-board and the whole kingdom of England with the indignities he had sustained in Scotland, which he did by Proclamations and Declarations at large, setting out the whole proceedings which had been[2]; and in the end of the year 1638 declared his resolution to raise an army to suppress their rebellion, for which he gave present order.

23. And this was the first alarm England received towards any trouble, after it had enjoyed for so many years the most uninterrupted prosperity, in a full and plentiful peace, that any nation could be blessed with: and as there was no apprehension of trouble from within, so it was secured from without by a stronger fleet at sea than the nation had ever been acquainted with, which drew reverence from all the neighbour princes. The revenue had been so well improved and so warily managed that there was money in the exchequer proportionable for the undertaking any noble enterprise: nor did this first noise of war and approach towards action seem to make any impression upon the minds of men, the Scots being in no degree either loved or feared by the people; and most men hoped that this would free the Court from being henceforth troubled with those vermin, and so seemed to embrace the occasion with notable alacrity. And there

[1] [creation as a baron: Heylin's *Cypr. Angl.* p. 373.]

[2] [*Proclamation*, dated Feb. 27, 1639, and *Large Declaration concerning the late tumults in Scotland*, printed in the same year.]

1638 is no doubt but if that whole nation had been entirely united in the rebellion, and all who stayed in the Court had marched in their army and publicly owned the Covenant which in their hearts they adored, neither King nor kingdom could have sustained any damage by them, but the monument of their presumption and their shame would have been raised together, and no other memory preserved of their rebellion but in their memorable overthrow and infamous defeat.

24. God Almighty would not suffer this discerning spirit of wisdom to govern at this time. The King thought it unjust to condemn a nation for the transgression of a part of it, and still hoped to redeem it from the infamy of a general defection by the exemplar fidelity of a superior party, and therefore withdrew not his confidence from any of those who attended his person, and who, in truth, lay leiger for the Covenant, and kept up the spirits of their countrymen by their intelligence.

25. The King hastened the raising an army, which was not long in doing. He chose to make the earl of Arundel his general, a man who had nothing martial about him but his presence and his looks, and therefore was thought to be made choice of only for his negative qualities: he did not love the Scots; he did not love the Puritans; which good qualifications were allayed by another negative, he did love nobody else: but he was fit to keep the state of it, and his rank was such that no man would decline the serving under him.

26. The earl of Essex was made lieutenant-general of the army, the most popular man of the kingdom and the darling of the sword-men; who, between a hatred and a contempt of the Scots, had nothing like an affection for any one man of the nation; and therefore was so well pleased with his promotion that he began to love the King the better for conferring it upon him, and entered upon the province with great fidelity and alacrity, and was capable from that hour of any impression the King would have fixed upon him.

27. The earl of Holland was general of the horse; who,

besides the obligations he had to the Queen, (who vouchsafed to own a particular trust in him,) was not liable to the least suspicion of want of affection and zeal for the King's service. 1639

28. In the beginning of the spring which was in the year 1639 an army was drawn together of near six thousand horse and about that number in foot, all very well disciplined men, under as good and experienced officers as were to be found in any army in Christendom. And with this army, abundantly supplied with a train of artillery and all other provisions necessary, the King advanced in the beginning of the summer towards the borders of Scotland. March 27.

29. This was not all the strength that was provided for the suppressing that rebellion, but the King had likewise provided a good fleet for the sea, and had caused a body of three thousand foot to be embarked on those ships; all which were put under the command of the marquis of Hambleton, who was to infest his country by sea, to hinder their trade, and to make a descent upon the land and join with such forces as the loyal party of that nation should draw together to assist the King's, which his own interest (as was believed) would give great life to, his family being numerous in the nobility and united in an entire dependence upon him.

30. Upon the first march of the army northwards the earl of Essex was sent with a party of horse and foot to use all possible expedition to possess himself of Berwick, which the King had been advertised the Scots would speedily be masters of. The earl lost no time, but marched day and night with great order and diligence; and every day met several Scotchmen of quality well known to him and sent expressly to the King[1], all who, severally, made him very particular relations of the strength of the Scotch army, the excellent discipline that was observed in it, the goodness of the men, and that they were by that time possessed of Berwick. And when he was within one day's march of it, a person of principal condition, of very near relation to

[1] [Among these were the earls of Traquair and Roxburgh. *Cal. of State Papers*, 1639, p. 40; Heylin's *Cypr. Angl.* p. 386.]

1639 the King's service, (who pretended to be sent upon matter of high importance to his majesty from those who most intended his service there,) met him, and advised him very earnestly 'not to advance farther with his party, which was so much inferior in number to those of the enemy that it would infallibly be cut off: that himself overtook the day before a strong party of the army, consisting of three thousand horse and foot, with a train of artillery, all which he left at such a place,' which he named, 'within three hours' march of Berwick, where they resolved to be the night before, so that his proceeding farther must be fruitless, and expose him to inevitable ruin.' These advertisements wrought no otherwise upon the earl than to hasten his marches, inso-
Apr. 12. much that he came to Berwick sooner than he proposed to have done, entered the place without the least opposition, and by all the inquiry he could make by sending out parties and other advertisements, he could not discover that any of the enemies' forces had been drawn that way, nor indeed that they had any considerable forces together nearer than Edinburgh.

31. The earl being thus possessed of his post lost no time in advertising the King of it, and sent him a very particular account of the informations he had received from so many ear and eye witnesses, who were all at that time in the Court, and very fit to be suspected after the publishing of so many falsehoods; and the men had been constant in the same reports, and as confident in reporting the defeat of the earl of Essex and cutting off his party, as they had been to himself of the Scots' march and their being masters of Berwick. The joy was not concealed with which his majesty received the news of the earl's being in Berwick, the contrary whereof these men had made him apprehend with much perplexity; but they underwent no other reproach for their intelligence than that their fears had multiplied their sight, and that they had been frighted with other men's relations; which remissness, to call it no worse, was an ill omen of the discipline that was like to be observed.

32. If the war had been now vigorously pursued, it had been as soon ended as begun; for at this time they had not drawn three thousand men together in the whole kingdom of Scotland, nor had in truth arms complete for such a number, though they had the possession of all the King's forts and magazines, nor had they ammunition to supply their few fire-arms. Horses they had and officers they had, which made all their show. But it was the fatal misfortune of the King, which proceeded from the excellency of his nature and his tenderness of blood, that he deferred so long his resolution of using his arms; and after he had taken that resolution, that it was not prosecuted with more vigour. 1639

33. He more intended the pomp of his preparations than the strength of them, and did still believe that the one would save the labour of the other. At the same time that he resolved to raise an army, he caused inquiry to be made what obligations lay upon his subjects to assist him, both as he went himself in person and as it was an expedition against the Scots; which, in the ancient enmity between the two nations, had been provided for by some laws, and in the tenures which many men held their estates by.

34. He found that the kings had usually when they went to make war in their own persons called as many of their nobility to attend upon them as they thought fit. And thereupon he summoned most of the nobility of the kingdom, without any consideration of their affections how they stood disposed to that service, to attend upon him by a day appointed and throughout that expedition; presuming that the glory of such a visible appearance of the whole nobility would look like such an union in the quarrel as would at once terrify and reduce the Scots; not considering that such kind of unitings do naturally produce the greatest confusions, when more and greater men are called together than can be united in affections or interests; and in the necessary differences which arise from thence, they quickly come to know each other so well, as they easily unite in several divisions, though never in one public interest; and from hence the most

1639 dangerous factions have always arose which have threatened and ruined the peace of nations. And it fell out no better here. If there had been none in the march but soldiers, it is most probable that a noble peace would have quickly ensued, even without fighting. But the progress was more illustrious than the march, and the soldiers were the least part of the army and least consulted with.

March 30. 35. In this pomp the King continued his journey to York, where he had a full court, those noblemen of the northern parts, and many others who overtook not the King till then, joining all in that city; where his majesty found it necessary to stay some days; and there the fruit that was to be gathered from such a conflux quickly budded out. Some rules were to be set down for the government of the army; and the Court was too numerous to be wholly left to its own license; and the multitude of the Scots in it administered matter of offence and jealousy to people of all conditions, who had too much cause to fear that the King was every day betrayed; the common discourse by all the Scots being either magnifying the good intentions of their countrymen and that they had all duty for the King, or undervaluing the power and interest of those who discovered themselves against the Church.

36. It was therefore thought fit by the whole body of the Council that a short protestation should be drawn, in which all men should profess their loyalty and obedience to his majesty, and disclaim and renounce the having any intelligence or holding any correspondence with the rebels. No man imagined it possible that any of the English would refuse to make that protestation; and they who thought worst of the Scots did not think they would make any scruple of doing the same, and consequently that there would be no fruit or discovery from that test; but they were deceived. The Scots indeed took it to a man, without grieving their conscience or reforming their manners. But amongst the English nobility the lord Say and the lord Brook, (two popular men, and most undevoted to the Church, and, in truth, to the whole government,) positively refused,

in the King's own presence, to make any such protestation. They 1639
said, 'If the King suspected their loyalty, he might proceed against them as he thought fit; but that it was against the law to impose any oath or protestation upon them which were not enjoined by the law; and, in that respect, that they might not betray the common liberty, they would not submit to it.' This administered matter of new dispute in a very unseasonable time; and though there did not then appear more of the same mind, and they two were committed, Apr. 21.
at least restrained of their liberty, yet this discovered too much the humour and spirit of the Court in their daily discourses upon that subject; so that the King thought it best to dismiss those two lords, and require them to About
return to their houses: and if all the rest who were not Apr. 30.
officers of the army, or of absolute necessity about the King's person, had been likewise dismissed and sent home, the business had been better prosecuted.

37. Indeed, if the King himself had stayed at London, or, which had been the next best, kept his Court and resided at York, and sent the army on their proper errand, and left the matter of the war wholly to them, in all human reason his enemies had been speedily subdued, and that kingdom reduced to that obedience which it would not have been easy for them to have shaken off.

38. Before the King left York, letters and addresses were April 29.
sent from the Scots, lamenting 'their ill fortune, that their enemies had so great credit with the King as to persuade him to believe that they were or could be disobedient to him, a thing that could never enter into their loyal hearts; that they desired nothing but to be admitted into the presence of their gracious sovereign, to lay their grievances at his royal feet, and leave the determination of them entirely to his own wisdom and pleasure.' And though the humility of the style gained them many friends, who thought it great pity that any blood should be spilt in a contention which his majesty might put an end to by his own word as soon as he would hear their complaints, yet hitherto the

1639 King preserved himself from being wrought upon, and marched with convenient expedition to the very borders of Scotland,
May 29. and encamped with his army in an open field called *the Berkes*, on the further side of Berwick, and lodged in his tent with the army, though every day's march wrought very much upon the constitution if not the courage of the Court, and too many wished aloud 'that the business were brought to a fair treaty.'

39. Upon advertisement that a party of the Scots army was upon their march, the earl of Holland was sent with a body of three thousand horse and two thousand foot, with a fit train of artillery, to meet it and engage with it; who
May 31. marched accordingly into Scotland early in a morning as far as a place called Dunce, ten or twelve miles into that kingdom. It was in the beginning of August[1], when the nights are very short, and, as soon as the sun rises, the days for the most part hotter than is reasonably expected from the climate; by the testimony of all men that day was the hottest that had been known. When the earl came with his horse to Dunce, he found the Scots drawn up on the side of a hill, where the front could only be in view, and where, he was informed, the general Lashly [Lesley] and the whole army was; and it was very true they were all there indeed; but it was as true that all did not exceed the number of three thousand men, very ill armed, and most country fellows, who were on the sudden got together to make that show: and Lashly had placed them by the advantage of that hill so speciously that they had the appearance of a good body of men, there being all the semblance of great bodies behind on the other side of the hill; the falsehood of which would have been manifest as soon as they should move from the place where they were, and from whence they were therefore not to stir.

40. The horse had outmarched the foot, which by reason of the excessive heat was not able to use much expedition: besides, there was some error in the orders, and some accidents

[1] [A strange mistake. The march to Dunse was at midnight on May 31, and the rencontre between Lesley's army and the earl of Holland was at Kelso on June 3.]

of the night that had retarded them; so that when the enemy 1639
appeared first in view, the foot and the artillery was three or four miles behind.

41. Nothing can be said in the excuse of the counsel of that day, which might have made the King a glorious king indeed. The earl of Holland was a man of courage, and at that time not at all suspected to be corrupted in his affections; and though himself had not seen more of the war than two or three *campagnias* in Holland before his coming to the Court, he had with him many as good officers as the war of that age, which was very active, had made, and men of unquestionable courage and military knowledge. As he might very safely have made a halt at Dunce till his foot and artillery came up to him, so he might securely enough have engaged his body of horse against their whole pitiful army, there being neither tree nor bush to interrupt his charge; but it was thought otherwise; and no question it was generally believed, by the placing and drawing out their front in so conspicuous a place, by the appearance of other troops behind them, and by the shewing great herds of cattle at a distance upon the hills on either side, that their army was very much superior in number. And therefore, as soon as the earl came in view he despatched messengers one after another to the King with an account of what he heard and saw, or believed he saw, and yet thought not fit to stay for an answer; but with the joint consent of all his superior officers (for it was never after pretended that any one officer of name dissuaded it, though they were still ashamed of it) retired towards his foot, to whom he had likewise sent orders not to advance; and so wearied and tired by the length of the march, and more by the heat of the weather, which was intolerable, they returned to the camp where the King was; and the Scots drew a little back to a more convenient post for their residence.

42. The Covenanters, who very well understood the weaknesses of the Court, as well as their own want of strength, were very reasonably exalted with this success, and scattered

1639 their letters abroad amongst the noblemen at Court, according to the humours of the men to whom they writ; there being upon the matter an unrestrained intercourse between the King's camp and Edinburgh.

43. They writ three several letters to the three generals, the earl of Arundel, the earl of Essex, and the earl of Holland[1].

April 19. That to the earl of Essex was in a dialect more submiss than to the others; they said much to him of his own fame and reputation, which added to their affliction that he should be in arms against them; that they had not the least imagination of entering into a war against England; their only thought and hope was to defend their own rights and liberties, which were due to them by the laws of the land, until they might have access to his majesty to expose their complaints to him, from which they were hindered by the power and greatness of some of their own countrymen; (being desirous the earl should understand that their principal grievance was the interest of the marquis of Hambleton, who, they knew, was not in any degree acceptable to the earl;) and therefore desired him to be ready to do them good offices to the King, that they might be admitted to his presence. The earl of Essex, who was a punctual man in point of honour, received this address superciliously enough, sent it to the King without returning any answer, or holding any conference, or performing the least ceremony with or towards the messengers.

44. The earls of Arundel and Holland gave another kind of reception to the letters they received. To the former, after many professions of high esteem of his person, they enlarged upon their great affection to the English nation, and how they abhorred the thought of a war between the two nations; they besought him to present their Supplication, which they enclosed, to the King, and to procure their deputies admission to his majesty. The earl used them with more respect than was suitable to the office of a general, and made many professions of his desire to interpose, and mediate

[1] [Spang, *Hist. Motuum*, p. 362, and Jas. Gordon, *Scots' Affairs*, iii. p. 4, say that the letters were to Essex, Pembroke and Holland.]

a good peace between the nations: and it was confidently reported and believed that he had frequently made those professions by several messages he had sent before into Scotland, and he had given passes to many obscure persons to go into and return out of that kingdom. 1639

45. Their letter to the earl of Holland was in a more confident style, as to a man from whom they expected all good offices. They sent him likewise a copy of their Supplication to the King, and desired him to use his credit that a treaty might be entered into, and that his majesty would appoint men of religion and of public hearts to manage the treaty. And from this time that earl was found at least enough inclined to that interest; and the King's readiness to hear discourses of a pacification and that messengers would be shortly sent to him with propositions worthy of his acceptation, abated those animosities and appetite to war which had made all the noise in the march. May 11[1] June 6.

46. Indeed the marquis of Hambleton's neighbourly residence with his fleet and foot soldiers before Leith, without any show of hostility, or any care taken to draw his friends and followers together for the King's service; on the other side, the visits his mother made him on board his ship, who was a lady of great authority amongst the Covenanters, and most addicted to it and them, her daughters being likewise married to those noblemen who most furiously persecuted the Church and presided in those councils; the King's refusing to give leave to some officers of horse, who had offered to make inroads into the country and destroy the stock thereof, whereby they would be presently obliged to make submission and to ask pardon; and lastly, the reception of the earl of Holland after his shameful retreat with so much satisfaction and joy as his majesty had manifested upon his return, (having after his first messenger's arrival from Dunce, when the enemy was in view, sent him orders not to engage,) made it then suspected, as it was afterwards believed by those who stood nearest, that his majesty

[1] [This and a subsequent letter of May 25 are in Peterkin's *Records of the Kirk of Scotland*, pp. 218, 222.]

1639 had in truth never any purpose to make the war in blood, but believed that by shewing an army to them that was able to force them to any conditions, they would have begged pardon for the contests they had made, and so he should have settled the Church and all things else according to his pleasure: and sure he might have done so if he had but sat still, and been constant to his own honour and positive in denying their insolent demands. But the Scots in the Court had made impression upon so many of the English lords that, though at that time there were very few of them who had entered into an unlawful combination against the King, yet there was almost a general dislike of the war both by the lords of the Court and of the country, and they took this opportunity to communicate their murmurs to each other; none of the persons who were most maligned for their power and interest with the King being upon the place; and all men believing that nothing could be asked of the King but what must be satisfied at their charge, whose damage they considered, though it was to be procured at the expense of the King's honour. When the Covenanters understood by their intelligence that the season
June 6 and 11[1]. was ripe, they sent their Supplication (of which they had scattered so many copies) to the King, and found themselves so welcome to all persons that their modesty was not like to suffer any violence in offering the conditions.

47. The Scots had from the beginning practised a new sturdy style of address, in which, under the license of accusing the counsel and carriage of others, whom yet they never named, they bitterly and insolently reproached the most immediate actions and directions of his majesty himself; and then made the greatest professions of duty to his majesty's person that could be invented. The King had not at that time one person about him of his Council who had the least consideration of his honour, or friendship for those who sat at the helm of affairs; the duke of Lenox only excepted, who was a young man of small experience in affairs, though a man of great

[1] [The Petition presented June 11 was dated June 8. Peterkin's *Records*, p. 227.]

honour and very good parts, and under the disadvantage of 1639
being looked upon as a Scotchman; which he was not in his affections at all, being born in England of an English mother, and having had his education there, and had indeed the manners and nature and heart of an Englishman, and a duty and reverence and affection for the King and Church accordingly, and would never trust himself in those intrigues, as too mysterious for him.

48. The rest who were about the King in any offices of attendance were, the earl of Holland—whom we have had occasion to mention before in the first entrance upon this discourse, and whom we shall have often occasion hereafter to speak of; and therefore shall say no more of him now than that he neither loved the marquis of Hambleton, whom he believed the Scots intended to revenge themselves upon, nor Wentworth the Deputy of Ireland, nor the archbishop of Canterbury, nor almost any thing that was then done in Church or State;—Secretary Cooke,—who had all the despatches upon his hand, was near eighty years of age, a man of gravity, who never had quickness from his cradle, who loved the Church well enough as it was twenty years before, and understood nothing that had been done in Scotland, and thought that nothing that was or could be done there worth such a journey as the King had put himself to;—Sir Harry Vane was Controller of the house, and a busy and a bustling man, who had credit enough to do his business in all places, and cared for no man otherwise than as he found it very convenient for himself. There was no other of his Council of name but the general, the earl of Arundel, who was always true to the character under which he was heretofore delivered, and thought he had been general long enough. All the lustre of the Court was in that part of the nobility which attended upon command and at their own charge, and therefore the more weary of it. The earl of Pembroke hath been forgotten, who abhorred the war as obstinately as he loved hunting and hawking, and so was like to promote all overtures towards accommodation

1639 with great importunity. So the Scots found persons to treat with them according to their own wish. The earl of Essex, still preserving his grandeur and punctuality, positively refused to meddle in the treaty, or to be communicated with, or so much as to be present, or receive any visits from the Scotch commissioners till after the Pacification was concluded.

49. The Covenanters were firm, and adhered still to their old natural principle, even in this their address; justified all that they had done to be according to their native rights, and for the better advancement of his majesty's service, which they had always before their eyes; and desired to have those receive exemplary punishment who had done them ill offices and misrepresented their carriage to his majesty; and that some noble lords might be appointed to treat upon all particulars. And upon no other submission than this a treaty
June 18. was presently entered upon and concluded.

50. Whosoever will take upon him to relate all that passed in that treaty, must be beholding to his own invention; the most material matters having passed in discourse, and very little was committed in writing. Nor did any two who were present agree in the same relation of what was said and done, and, which was worse, not in the same interpretation of the meaning of what was comprehended in writing. An agreement was made, if that can be called an agreement in which nobody meant what others believed he did: the armies were to be disbanded; an Act of Oblivion passed; the King's forts and castles to be restored; and an Assembly and Parliament to be called for a full settlement; no persons reserved for justice, because no fault had been committed. The King's army, by[1] the very words of the agreement, was not to be disbanded until all should be executed on their part, and the King himself at that time resolved to be present in the Assembly at least, if not the Parliament. But the impatience of all was such for peace that the King's army was presently disbanded; his majesty making all possible haste himself to London, and sending the earl of Trequayre [Traquair]

[1] ['which by,' MS.]

to Edinburgh, to prepare all things for the Assembly; whilst 1639
the Scots made all the caresses to many of the English, and breathed out in mutual confidence their resentments to each other.

51. The marquis of Hambleton (whether upon the fame of the treaty, or sent for by the King, few knew) left his fleet before Leith in a very peaceable posture, and came to the Berkes some hours after the treaty was signed; which was very convenient to him, for thereby he was free from the reproach that attended it, and at liberty to find fault with it, which he did freely to the King and to some others, whereby he preserved himself in credit to do more mischief. Many were then of opinion, and still are, that the marquis at that time was very odious to his countrymen; and it is certain that the chief managers at the treaty did persuade the English in whom they most confided that their principal aim was to remove him from the Court, which was a design willingly heard and universally grateful. But whatever state of grace he stood in when he came thither, he did himself so good offices before he parted that he was no more in their disfavour. The King's army was presently disbanded, June 24.
and the Scots returned to Edinburgh with all they desired, having gotten many more friends in England than they had before, kept all their officers and as many of their men as they thought fit in pay, and prosecuted all those who had not shewed the same zeal in their Covenant as themselves with great rigour, as men whose affections they doubted; and, instead of remitting any thing of their rage against the bishops, they entered a public protestation that they July 1.
did not intend by any thing contained in the treaty to vacate any of the proceedings which had been in the late General Assembly at Glasgow, by which all the bishops stood excommunicated, and renewed all their menaces against them by proclamation, and imposed grievous penalties upon all who should presume to harbour any of them in their houses. So that by the time the King came to London, it appeared plainly that the army was disbanded without

1639 any peace made, and the Scots in more reputation and equal inclination to affront his majesty than ever. Upon which a paper published by them, and avowed to contain the matter of the treaty, was burned by the common hangman[1]; every body disavowing the contents of it, but nobody taking upon him to publish a copy that they owned to be true.

52. The mischief that befell the King from this wonderful atonement cannot be expressed, nor was it ever discovered what prevailed over his majesty to bring it so wofully to pass: all men were ashamed who had contributed to it; nor had he dismissed his army with so obliging circumstances as was like to incline them to come so willingly together if there were occasion to use their service. The earl of Essex, who had merited very well throughout the whole affair, and had never made a false step in action or in council, was discharged in the crowd, without ordinary ceremony; and an accident happening at the same time, or very soon
Aug. after, by the death of the lord Aston, whereby the command of the forest of Needwood fell into the King's disposal, which lay at the very door of his estate and would infinitely have gratified him, [it] was denied to him and bestowed upon another: all which wrought very much upon his rough proud nature, and made him susceptible of some impressions afterwards which otherwise would not have found such easy admission.

53. The factions and animosities at Court were either greater or more visible than they had been before. The earl of Newcastle (who was governor to the Prince, and one of the most valuable men in the kingdom, in his fortune, in his dependences, and in his qualifications) had at his own charge drawn together a goodly troop of horse of two hundred; which for the most part consisted of the best gentlemen of the north, who were either allied to the earl or of immediate dependence upon him, and came together purely upon his account; and called this troop the Prince of Wales his troop;

[1] [The Council ordered the burning on Aug. 4, and a Proclamation condemning the paper is dated Aug. 11.]

whereof the earl himself was captain. When the earl of Holland marched with that party into Scotland, the earl of Newcastle accompanied him with that troop, and, upon occasion of some orders, desired that troop, since it belonged to the Prince of Wales, might have some precedence; which the general of the horse refused to grant him, but required him to march in the rank he had prescribed; and the other obeyed it accordingly, but with resentment, imputing it to the little kindness that was between them. But as soon as the army was disbanded, he sent a challenge to the earl of Holland by a gentleman very punctual and well acquainted with those errands, who took a proper season to mention it to him, without a possibility of suspicion. The earl of Holland was never suspected to want courage, yet in this occasion he shewed not that alacrity but that the delay exposed it to notice; and so by the King's authority the matter was composed[1], though discoursed of with liberty enough to give the whole Court occasion to express their affections to either party. 1639

54. The King himself was very melancholic, and quickly discerned that he had lost reputation at home and abroad; and those counsellors who had been most faulty, either through want of courage or wisdom, (for at that time few of them wanted fidelity,) never afterwards recovered spirit enough to do their duty, but gave themselves up to those who had so much overwitted them; every man shifting the fault from himself, and finding some friend to excuse him. And it being yet necessary that so infamous a matter should not be covered with absolute oblivion, it fell to secretary Cooke's turn, (for whom nobody cared,) who was then near fourscore years of age, to be made the sacrifice; and, upon pretence that he had omitted the writing what he ought to have done, and inserted somewhat he ought not to have done, he was put out of his office, and within a short time after sir Henry Vane (who was Treasurer of the house) by the dark contrivance of the marquis [of] Hambleton, and by the open and visible power of the Queen, made Secretary of State; which was the only thing that could make the 1640 Feb.

[1] [Rushworth, ii. pp. 930, 946. Bruce's *Verney Papers*, i. 257.]

1639 removal of the other old man censured and murmured at. And this was attended again with a declared and unseasonable dislike and displeasure in the Queen against the Lieutenant of
1640 Ireland, newly made earl of Strafford, who out of some kind-
Jan. 12. ness to the old man, who had been much trusted by him and of use to him, and out of contempt and detestation of Vane, but principally out of a desire to have had that miscarriage expiated by a greater sacrifice, opposed the removal of Secretary Cooke with all the interest he could, got it suspended for some time, and put the Queen to the exercise of her full power to perfect her work; which afterwards produced many sad disasters. So that this unhappy Pacification kindled many fires of contention in Court and country, though the flame broke out first again in Scotland.

55. On the other side, the Scots got so much benefit and advantage by it that they brought all their other mischievous devices to pass with ease, and a prosperous gale in all they went about. They had before no credit abroad in any foreign parts, and so could neither procure arms or ammunition; and though they could lead the people at home, out of the hatred and jealousy of Popery, into unruly tumults, yet they had not authority enough over them to engage them in a firm resolution of rebellion: the opinion of their unquestionable duty and loyalty to the King was that which had given them reputation to affront him: nor durst they yet attempt to lay any tax or imposition upon the people, or to put them to any charge. But after this Pacification they appeared much more considerable abroad and at home; abroad, (where they were without a name and considered by nobody, now that they had brought an army into the field against the King, [and had] gained all they pretended to desire without reproach or blemish,) France, their old ally, looked upon them as good instruments to disturb their neighbours, and Cardinal Richelieu (who had never looked upon the defeat and overthrow at the Isle of Ree as any reparation for the attempt and dishonour of the invasion) was very glad of the opportunity of disturbing a rest and quiet which had not been favourable to his designs, and sent an agent privately to

Edinburgh, to cherish and foment their unpeaceable inclinations, and received another from thence, who solicited supplies and communicated counsels: he sent them arms and ammunition, and promised them encouragement and assistance proportionable to any enterprise they should frankly engage themselves in. Holland entered into a closer correspondence with them; and they found credit there for a great stock of arms and ammunition, upon security of payment within a year, which security they easily found a way to give[1]. And thus countenanced and supplied, they quickly got credit and power over the people at home; and as soon as they had formed some troops of those who had been listed by them under good officers, (whereof store resorted to them of that nation out of Germany and Sweden,) and assigned pay to them, they made no longer scruple to impose what money they thought fit upon the people, and to levy it with all rigour upon them who refused or expressed any unwillingness to submit to the imposition; and made the residence of any amongst them very uneasy and very insecure who were but suspected by them not to wish well to their proceedings: and so they renewed all those forms for the administration of the government which they had begun in the beginning of the disorders, and which they disclaimed upon making the Pacification; and refused to suffer the King's governor of the castle of Edinburgh (which was put into his hands about the same time) either to repair some works which were newly fallen down, or so much as to buy provision in the town for the food of the garrison. 1639 June 22.

56. But that which was the greatest benefit and advantage that accrued unto them from that agreement, and which was worth all the rest, was the conversation they had with the English, with so much reputation that they had persuaded very many to believe that they had all manner of fidelity to the King, and had too much cause to complain of the hard proceedings against them by the power of some of their own country-

[1] [Arms were obtained from Holland in Dec. 1638 through the intervention of the French ambassador. Dalrymple's *Memorials . . . of Chas. I.* 1766, p. 47.]

1639 men; and the acquaintance they made with some particular lords, to that degree that they did upon the matter agree what was to be done for the future, and how to obstruct any opposition or proceedings by those who were looked upon as enemies by both sides: for none in Scotland more disliked all that was done in Court and the chief actors there than those lords of England did, though they were not so well prepared for an expedient for the cure.

57. The people of Scotland being now reduced to a more implicit obedience, and nobody daring to oppose the most violent proceedings of the most violent persons in authority, they lost no time, (as hath been said,) to make all preparations for a war they meant to pursue. Most of the King's Privy Council and great ministers, who (though they had not vigorously performed their duty in support of the regal power) till now had been so reserved that they seemed not to approve the disorderly proceeding, now[1] as frankly wedded that interest as any of the leaders, and quickly became the chief of the leaders.

58. [Of these was] the earl of Arguyle: who had been preserved by the King's immediate kindness and full power, and rescued from the anger and fury of his incensed father, who, being provoked by the disobedience and insolence of his son, resolved so to have disposed of his fortune that little should have accompanied the honour after his death. But by the King's interposition, and indeed imposition, the earl in strictness of the law of Scotland having need of the King's grace and protection in regard of his being become Roman Catholic, and his majesty granting all to the son which he could exact from the father, the old man was in the end compelled to make over all his estate to his son; reserving only such a provision for himself as supported him according to his quality during his life, which he spent in the parts beyond the seas. The King had too much occasion afterwards to remember that in the close, after his majesty had determined what should be done on either part, the old man declared he would submit to the King's pleasure, though he believed he was hardly dealt with;

[1] ['but now,' MS.]

and then with some bitterness put his son in mind of his un- 1639
dutiful carriage towards him, and charged him to carry in his mind how bountiful the King had been to him; which yet, he told him, he was sure he would forget: and thereupon said to his majesty, 'Sir, I must know this young man better than you can do: you have brought me low, that you may raise him, which I doubt you will live to repent; for he is a man of craft, subtlety, and falsehood, and can love no man; and if ever he finds it in his power to do you mischief he will be sure to do it.' The King considered it only as the effect of his passion, and took no other care to prevent it but by heaping every day new obligations upon him, making him a Privy Councillor, and giving him other offices and power to do hurt, thereby to restrain him from doing it; which would have wrought upon any generous nature the effect it ought to have done. This earl (for his father was now dead) came not to Edinburgh during the first troubles; and though he did not dissemble his displeasure against the bishops, because one of them had affronted him, in truth very rudely, yet he renewed all imaginable professions of duty to the King, and a readiness to engage in his service if those disorders should continue: but after the Pacification and the disbanding of the King's army, and the Covenanters' declaring that they would adhere to the acts of the Assembly at Glasgow, he made haste to Edinburgh with a great train of his family and followers, and immediately signed the Covenant, engaged for the provision of arms and raising forces, and in all things behaved himself like a man that might very safely be confided in.

59. There wanted not persons still who persuaded the King that all might yet be ended without blood; that there were great divisions amongst the chief leaders through emulation and ambition of command; and that the access of the earl of Arguyle to that party would drive others as considerable from it, who never did, nor ever would, unite with him in any design; and therefore advised that his majesty would require them to send some persons intrusted by their body to attend him, and give an account of the reasons of their proceedings. They demanded

1640 a safe conduct for the security of the persons they should employ, which was sent accordingly: and thereupon some March. persons of the nobility, and others, were commissioned to wait on the King; amongst which the lord Lowden was principally relied on for his parts and abilities; a man who was better known afterwards, and whom there will hereafter be so often occasion to mention as it will not be necessary in this place farther to enlarge upon him. They behaved themselves, in all respects, with the confidence of men employed by a foreign state; refused to give any account but to the King himself; and even to himself gave no other reason for what was done but the authority of the doers and the necessity that required it, that is, that they thought it necessary: but then they polished this sturdy behaviour with all the professions of submission and duty which their language could comprehend.

April. 60. At this time the King happened to intercept a letter which had been signed by the chief of the Covenanters, and particularly by the lord Lowden, written to the French king, in which they complained of the hardness and injustice of the government that was exercised over them; put him in mind of the dependence this kingdom formerly had upon that crown; and desired him now to take them into his protection, and give them assistance, and that his majesty would give entire credit to one Colvill, who was the bearer of that letter, and well instructed in all particulars[1]; and the letter itself was sealed and directed *Au Roy*; a style only used from subjects to their natural king. This letter being seen and perused by the lords of the Council, and the lord Lowden being examined, and refusing to give any other answer than that it was writ before the agreement, and thereupon reserved and never sent[2]; that if he had committed any offence, he ought to be questioned for it in Scotland and not in England, and, insisting upon his safe conduct, demanded liberty to return; all men were of opinion

[1] [Colvill was also accredited to the States General. Dalrymple's *Memorials*, pp. 58, 61.]

[2] [Although this letter was never sent, a later one, signed by other Scottish nobles, dated Feb. 19, 1640, was actually delivered to Louis XIII by Will. Colvill, brother to James. Hamilton's Pref. to *Cal. of S. P.*, 1639–40, p. xii.]

that so foul a conspiracy and treason ought not to be so slightly excused, and that both the lord Lowden and [James] Colvill (who was likewise found in London, and apprehended) should be committed to the Tower: which was done accordingly; all men expecting that they would be brought to a speedy trial. 1640 Apr. 11.

61. This discovery made a very deep impression upon the King, and persuaded him that such a foul application could never have been thought of if there had not been more poison in the heart than could be expelled by easy antidotes, and that the strongest remedies must be provided to root out this mischief. Thereupon he first advised with that committee of the Council which used to be consulted in secret affairs, what was to be done? That summer's action had wasted all the money that had been carefully laid up, and to carry on that vast expense the revenue of the Crown had been anticipated; so that, though the raising an army was visibly necessary, there appeared no means how to raise that army. No expedient occurred to them so proper as a Parliament, and which had been now intermitted near twelve years. And though those meetings had of late been attended by some disorders, the effects of mutinous spirits, and the last had been dissolved (as hath been said before) with some circumstances of passion and undutifulness, which so far incensed the King that he was less inclined to those assemblies; yet this long intermission, and the general composure of men's minds in a happy peace and universal plenty over the whole nation, (superior sure to what any other nation ever enjoyed,) made it reasonably believed, notwithstanding the murmurs of the people against some exorbitancies of the Court, that sober men, and such as loved the peace and plenty they were possessed of, would be made choice of to serve in the House of Commons; and then the temper of the House of Peers was not to be apprehended: but especially the opinion of the prejudice and general aversion over the whole kingdom to the Scots, and the indignation they had at their presumption in their thought of invading England, made it believed that a Parliament would express a very sharp sense of their insolence and carriage towards the King, and provide remedies proportionable. 1639 Dec.

1639 [Dec. 6?] 62. Upon these motives and reasons, with the unanimous consent and advice of the whole committee, the King resolved to call a Parliament; which he communicated the same day, or rather took the resolution that day, in his full Council of State, which expressed great joy upon it; and directed the Lord Keeper to issue out writs for the meeting of a Parliament upon the [13th][1] day of April then next ensuing, it being now in the month of December; and all expedition was accordingly used in sending out the said writs, the notice of it being most welcome to the whole kingdom.

63. That it might appear that the Court was not at all apprehensive of what the Parliament would or could do; and that it was convened by his majesty's grace and inclination, not by any motive of necessity; it proceeded in all respects in the same unpopular ways it had done: ship-money was levied with the same severity; and the same rigour used in ecclesiastical courts, without the least compliance with the humour of any man; which was great steadiness, and, if it were then well pursued, it degenerated too soon afterwards.

1640 Jan. 14. 64. In this interval, between the sealing the writs and the convention of the Parliament, the lord keeper Coventry died; to the King's great detriment rather than to his own. So much hath been said already of this great man that there shall be no further enlargement in this place than to say that he was a very wise and excellent person, and had a rare felicity in being looked upon generally throughout the kingdom with great affection and a singular esteem, when very few other men in any high trust were so; and it is very probable if he had lived to the sitting of that Parliament, when, whatever lurked in the hearts of any, there was not the least approach of any irreverence to the Crown, that he might have had great authority in the forming those counsels which might have preserved it from so unhappy a dissolution. His loss was the more manifest and Jan. 17. visible in his successor; the Seal being within a day or two given to sir John Finch, chief justice of the court of Common Pleas; a man exceedingly obnoxious to the people upon the

[1] ['3,' MS.]

business of ship-money, and not of reputation and authority enough to countenance and advance the King's service. 1640

65. These digressions have taken up too much time, and may seem foreign to the proper subject of this discourse; yet they may have given some light to the obscure and dark passages of that time, which were understood by very few[1].

66. The Parliament met according to summons upon the [13th][2] of April in the year 1640, with the usual ceremony and formality; and, after the King had shortly mentioned his desire to be again acquainted with Parliaments after so long an intermission, and to receive the advice and assistance of his subjects there, he referred the cause of their present convention to be enlarged upon by the Lord Keeper; who related the whole proceedings of Scotland; his majesty's condescensions the year before, in disbanding his army upon their promises and professions; their insolencies since; and their address to the king of France, by the letter mentioned before, which the King had touched upon, and having forgot to make the observation upon the superscription himself, he required the Keeper to do it; who told them, after the whole relation, that his majesty did not expect advice from them, much less that they should interpose in any office of mediation, which would not be grateful to him; but that they should, as soon as might be, give his majesty such a supply as he might provide for the vindication of his honour by raising an army, which the season of the year and the progress the rebels had already made called upon without delay; and his majesty assured them, if they would gratify him with this expedition, that he would give them time enough afterwards to represent any grievances to him, and a favourable answer to them; and so dismissed the Commons to choose their Speaker; to which sergeant Glanvill was designed, and chosen the same day: a man very equal to the work, very well April 13.

[1] [In former editions a sentence here follows, which is crossed out in the MS., to the effect that only what 'relates to the person whose life is to be herein contained' (Clarendon himself) will be in future fully mentioned, and which was therefore inserted in the *History* by mistake.]

[2] '3,' MS.]

1640 acquainted with the proceedings in parliament, of a quick conception, and of a ready and voluble expression, dexterous in disposing the House, and very acceptable to them. The earl of Arundel, earl marshal of England, was made lord steward of the King's house, an office necessary in the beginning of a Parliament; being to swear all the members of the House of
April 15. Commons before they could sit there. Two days after, the Commons presented their Speaker to the King, who, in the accustomed manner, approved their choice; upon which they returned to their house, being now formed and qualified to enter upon any debates.

67. The House met always at eight of the clock, and rose at twelve; which were the old Parliament hours, that the committees, upon whom the greatest burden of business lay, might have the afternoons for their preparation and despatch. It was not the custom to enter upon any important business in the first fortnight, both because many members used to be absent so long, and [because] that time was usually thought necessary for the appointment and nomination of committees, and for other ceremonies and preparations that were usual: but there was no regard now to that custom; and the appearance of the members [was][1] very great, there having been a large time between the issuing out of the writs and the meeting of the Parliament, so that all elections were made and returned, and every body was willing to fall to the work.

April 17. 68. Whilst men gazed upon each other, looking who should begin, (much the greatest part having never before sat in Parliament), Mr. Pimm, a man of good reputation, but much better known afterward, who had been as long in those assemblies as any man then living, brake the ice; and, in a set discourse of above two hours, after mention of the King with the most profound reverence and commendation of his wisdom and justice, he observed that by the long intermission of Parliaments many unwarrantable things had been practised, notwithstanding the great virtue of his majesty: and then enumerated all the projects which had been set on foot, all the illegal procla-

[1] ['were,' MS.]

mations which had been published and the proceedings which 1640
had been upon those proclamations, the judgment upon ship-money, and many grievances which related to the ecclesiastical jurisdiction; summing up shortly and sharply all that most reflected upon the prudence and the justice of the government; concluding, that he had only laid that scheme before them that they might see how much work they had to do to satisfy their country, the method and manner of the doing whereof he left to their wisdoms. Mr. Grimston insisted only on the business of ship-money; the irregular and preposterous engaging the judges to deliver their opinion to the King, and their being afterwards divided in their judgment; and said he was persuaded that they who gave their opinions for the legality of it did it against the *dictamen* of their own conscience. Peard, a bold lawyer, of little note, inveighed more passionately against it, calling it 'an abomination'; upon which, Harbert the King's Solicitor, with all imaginable address, in which he then excelled, put them in mind with what candour his majesty had proceeded in that and all other things which related to the administration of justice to all his people; that, how persuaded soever he was within himself of the justice as well as necessity of levying ship-money, he would not send out a writ for the doing thereof till he received the affirmative advice of all the judges of England; and when the payment was opposed by a gentleman, (and then he took occasion to stroke and commend Mr. Hambden, who sat under him, for his great temper and modesty in the prosecution of that suit,) the King was very well contented that all the judges of England should determine the right; that never any cause had been debated and argued more solemnly before the judges; who, after long deliberation between themselves, and being attended with the records, which had been cited on both sides, delivered each man his opinion and judgment publicly in the court, and so largely that but two judges argued in a day; and after all this, and a judgment with that solemnity pronounced for the King, by which the King was as legally possessed of that right as of any thing else he had, that any particular man should presume to speak against

1640 it with that bitterness, and to call it *an abomination*, was very offensive and unwarrantable; and desired that 'that gentleman who had used that expression might explain himself, and then withdraw.' Very many called him to the bar; and the Solicitor's discourse was thought to have so much weight in it that Mr. Peard very hardly escaped a severe reprehension: which is mentioned only that the temper and sobriety of that House may be taken notice of, and their dissolution, which shortly after fell out, the more lamented.

69. Though the Parliament had not sat above six or seven days, and had managed all their debates and their whole behaviour with wonderful order and sobriety, the Court was impatient that no advance was yet made towards a supply; which was foreseen would take up much time whensoever they went about it, though never so cordially; and therefore they pre-
April 24. vailed with the House of Peers, which was more entirely at the King's disposal, that it would demand a conference with the House of Commons, and then propose to them, by way of advice, 'That they would begin with giving the King a supply, in regard of the urgency and even necessity of his affairs, and afterwards proceed upon their grievances, or any thing else, as they thought fit.' And the House of Peers accordingly did give their advice to this purpose at a conference. This conference was no sooner
April 27. reported in the House of Commons than their whole temper seemed to be shaken. It was the undoubted fundamental privilege of the Commons in Parliament that all supplies should have [their][1] rise and beginning from them; this had never been infringed or violated, or so much as questioned in the worst times; and that now, after so long intermission of Parliaments that all privileges might be forgotten, the House of Peers should begin with an action their ancestors never attempted, administered too much cause of jealousy of somewhat else that was intended; and so with an unanimous consent they declared it to be 'so high a breach of privilege that they could not proceed upon any other matter until they first received satisfaction and reparation from the House of Peers;' and which

[1] ['its,' MS.]

the next day they demanded at a conference. The Lords were 1640
sensible of their error, which had been foreseen and dissuaded by many of them. They acknowledged the privilege of the Commons as fully as they demanded it, and hoped they had not broken it by offering their advice to them without mentioning the nature of the supply, the proportion, or the manner of raising it, which they confessed belonged entirely to them: in fine, they desired them, 'that this might be no occasion of wasting their time, but that they would proceed their own way, and in their own method, upon the affairs of the kingdom.' This gave no satisfaction; was no reparation; and served their turn who had no mind to give any supply, without discovering any such disaffection which would have got them no credit, the House generally being exceedingly disposed to please the King and to do him service. But this breach of privilege, which was craftily enlarged upon as if it swallowed up all their other privileges and made them wholly subservient to the Peers, was universally resented. A committee was appointed to examine precedents of former times in the case of violation of their privileges by the Lords, though not of that magnitude, and thereupon to prepare a protestation to be sent up to the House of Peers, and to be entered in their own Journal; and in the mean time no proceedings to be in the House upon any public [business], except upon some report from a committee.

70. After some days had been passed in this manner, and it not being in view when this debate would be at an end, the King thought of another expedient, and sent a message in writing to the Commons by sir Harry Vane, who was now both Secretary of State and Treasurer of the Household, and at that time of good credit there; wherein his majesty took notice, that there was some difference between the two Houses, which retarded the transaction of the great affairs of the kingdom, at a time when a foreign army was ready to invade it: that he heard the payment of ship-money, notwithstanding that it was adjudged his right, was not willingly submitted to by the people; to manifest therefore his good affection to his subjects in general, he made this proposition, that, if the Parliament

1640 would grant him twelve subsidies, to be paid in three years in the manner proposed, (that was, five subsidies to be paid the first year, four the second, and three to be paid in the last year,) his majesty would then release all his title or pretence to ship-money for the future, in such a manner as his Parliament should advise.

71. Though exceptions might have been taken again in point of privilege, because his majesty took notice of the difference between the two Houses, yet that spirit had not then taken so deep root: so that they resolved to enter, the next day after the delivery of it, upon a full debate of his majesty's message; they who desired to obstruct the giving any supply believing they should easily prevail to reject this proposition upon the greatness of the sum demanded, without appearing not to favour the cause in which it was to be employed, which they could not have done with any advantage to themselves, the number of that *classis* of men being then not considerable in the House. It was about the first day of May that the message was delivered [1], and the next day it was resumed about nine of the clock in the morning, and the debate continued till four of the clock in the afternoon; which had been seldom used before, but afterwards grew into custom. Many observed, 'that they were to purchase a release of an imposition very unjustly laid upon the kingdom, and by purchasing it they should upon the matter confess it had been just, which no man in his heart acknowledged;' and therefore wished that the judgment might be first examined, and being once declared void, what they should present the King with would appear a gift and not a recompense. But this was rather modestly insinuated than insisted upon, and the greater number reflected more of the proportion demanded, which some of those who were thought very well to understand the state of the kingdom confidently affirmed to be more than the whole stock in money of the kingdom

May 2, Saturday.

[1] [Two messages were sent from the King to the Commons, the first on May 2, and a fuller one, corresponding more closely to the message described in § 70, on May 4. Clarendon, forgetting that the first day was Saturday, has represented the debate as being carried on continuously from day to day on one message alone, as well as antedated it by one day.]

amounted to; which appeared shortly after to be a very gross miscomputation. There were very few, except those of the Court, (who were ready to give all that the King would ask, and indeed had little to give of their own,) who did not believe the sum demanded to be too great, and wished that a less might be accepted, and therefore were willing, when the day was so far spent, that the debate might be adjourned till the next morning; which was willingly consented to by all, and so the House rose. All this agitation had been in a Committee of the whole House, the Speaker having left the chair, to which Mr. Lenthall, a lawyer of no eminent account, was called. But there was not in the whole day, in all the variety of contradictions, an offensive or angry word spoken: except only that one private country gentleman, little known, said, he observed that the supply was to be employed in the supporting *bellum episcopale*, which he thought the bishops were fittest to do themselves: but as there was no reply, or notice taken of it, so there was nobody who seconded that envious reflection, nor any other expression of that kind. 1640

72. The next day as soon as the House met and prayers were read, it resolved again into a Grand Committee, the same person being again called to the chair. It was expected and hoped that there would have been some new message from the King that might have facilitated the debate; but nothing appearing of that kind, the proposition was again read, and men of all sides discoursed much of what had been said before, and many spake with more reflection upon the judgment of ship-money than they had done the day past, and seemed to wish that whatsoever we should give the King should be a free testimony of our affection and duty, without any release of ship-money, which deserved no consideration, but in a short time would appear void and null. And this seemed to agree with the sense of so great a part of the House that Mr. Hambden, the most popular man in the House, and the same who had defended the suit against the King in his own name upon the illegality of ship-money, thought the matter ripe for the question, and desired that the question might be put, 'Whether the House May 4, Monday.

1640 would consent to the proposition made by the King as it was contained in the message?' which would have been sure to have found a negative from all who thought the sum too great, or were not pleased that it should be given in recompense of ship-money.

73. When many called to have this question, sergeant Glanvill, the Speaker, (who sat by amongst the other members whilst the House was in a committee, and hath rarely used to speak in such seasons,) rose up, and in a most pathetical speech, in which he excelled, endeavoured to persuade the House to comply with the King's desire for the good of the nation, and to reconcile him to Parliaments for ever, which this seasonable testimony of their affections would infallibly do. He made it manifest to them how very inconsiderable a sum twelve subsidies amounted to, by telling them that he had computed what he was to pay for those twelve subsidies, and when he named the sum, and he being known to be possessed of a great estate, it seemed not worth any further deliberation. And in the warmth of his discourse, which he plainly discerned made a wonderful impression upon the House, he let fall some sharp expressions against the imposition of ship-money, and the judgment in the point, which he said plainly 'was against law, if he understood what law was,' (who was known to be very learned,) which expression, how necessary and artificial soever to reconcile the affections of the House to the matter in question, very much irreconciled him at Court and to those upon whom he had the greatest dependence.

74. There was scarce ever a speech that more gathered up and united the inclinations of a popular council to the speaker; and if the question had been presently put it was believed the number of the dissenters would not have appeared great. But, after a short silence, some men who wished well to the main expressed a dislike of the way, so that other men recovered new courage, and called again with some earnestness, 'That the question formerly proposed by Mr. Hambden should be put:' which seemed to meet with a concurrence. Mr. Hyde then stood up, and desired 'that question might not be put;' said,

'it was a captious question, to which only one sort of men 1640
could clearly give their vote, which were they who were for a rejection of the King's proposition and no more resuming the debate upon that subject: but that they who desired to give the King a supply, as he believed most did, though not in such a proportion nor, it may be, in that manner, could receive no satisfaction by that question;' and therefore he proposed, to the end that every man might frankly give his yea or his no, that the question might be put only upon the giving the King a supply: which being carried in the affirmative, another question might be upon the proportion and the manner; and if the first were carried in the negative, it would produce the same effect as the other question proposed by Mr. Hambden would do.

75. This method was received with great approbation, but opposed by others with more than ordinary passion, and diverted by other propositions, which being seconded took much time without pointing to any conclusion. In the end sergeant Glanvill said, 'That there had been a question proposed by his countryman that agreed very well with his sense,' and moved that the gentleman might be called upon to propose it again. Whereupon Mr. Hyde stated the case again as he had done, answered somewhat that had been said against it, and moved 'that question might be put.' Whereupon for a long time there was nothing said but a confused clamour and call, 'Mr. Hampden's question,' 'Mr. Hyde's question,' the call appearing much stronger for the last than the former; and it was generally believed that the question had been put and carried in the affirmative, though it was positively opposed by Harbert the Solicitor General, for what reason no man could imagine if sir H. Vane, the Secretary, had not stood up and said, 'That, as it had been always his custom to deal plainly and clearly with that House in all things, so he could not but now assure them that the putting and carrying that question could be of no use; for that he was most sure, and had authority to tell them so, that if they should pass a vote for the giving the King a supply, if it were not in the proportion and manner proposed in his

1640 majesty's message it would not be accepted by him,' and therefore desired that question might be laid aside; which being again urged by the Solicitor General upon the authority of what the other had declared, and the other Privy Councillors saying nothing, though they were much displeased with the Secretary's averment, the business was no more pressed; but it being near five of the clock in the afternoon, and every body weary, it was willingly consented to that the House should be adjourned till the next morning.

76. Both sir H. Vane and the Solicitor General Harbert, (whose opinion was of more weight with the King than the other's,) had made a worse representation of the humour and affection of the House than it deserved, and undertook to know that if they came together again they would pass such a vote against ship-money as would blast that revenue and other branches of the receipt; which others believed they would not have had the confidence to have attempted, and very few that they would have had the credit to have compassed. What followed in the next Parliament, within less than a year, made it believed that sir H. Vane acted that part maliciously and to bring all into confusion; he being known to have an implacable hatred against the earl of Strafford, Lieutenant of Ireland, whose destruction was then upon the anvil. But what transported the Solicitor, who had none of the ends of the other, could not be imagined, except it was his pride and peevishness when he found that he was like to be of less authority there than he looked to be; and yet he was heard with great attention, though his parts were most prevalent in puzzling and perplexing that discourse he meant to cross. Let their motives be what they would, they two, and they only, wrought so far with the King that, without so much deliberation as the affair was worthy of, his majesty the next morning, which was on the
May 5, Tuesday. fourth or fifth of May, not three weeks from their first meeting, sent for the Speaker to attend him, and took care that he should go directly to the House of Peers, upon some apprehension that if he had gone to the House of Commons that House would have entered upon some ingrateful discourse (which they were

not inclined to do); and then sending for that House to attend 1640
him, the Keeper by his majesty's command dissolved the Parliament.

77. There could not a greater damp have seized upon the spirits of the whole nation than this dissolution caused, and men had much of the misery in view which shortly after fell out. It could never be hoped that more sober and dispassioned men would ever meet together in that place, or fewer who brought ill purposes with them; nor could any man imagine what offence they had given which put the King to that resolution. But it was observed that in the countenances of those who had most opposed all that was desired by his majesty there was a marvellous serenity, nor could they conceal the joy of their hearts: for they knew enough of what was to come to conclude that the King would be shortly compelled to call another Parliament, and they were as sure that so many grave and unbiassed men would never be elected again.

78. Within an hour after the dissolving, Mr. Hyde met Mr. St. John, who had naturally a great cloud in his face and very seldom was known to smile, but then had a most cheerful aspect, and seeing the other melancholic, as in truth he was from his heart, asked him, 'What troubled him?' who answered, 'That the same which troubled him, he believed troubled most good men; that in such a time of confusion, so wise a Parliament, which could only have found remedy for it, was so unseasonably dismissed.' The other answered with a little warmth, 'That all was well: and that it must be worse before it could be better; and that this Parliament would never have done what was necessary to be done;' as indeed it would not what he and his friends thought necessary.

79. The King, when he had better reflected upon what was like to fall out, and was better informed of the temper and duty of the House of Commons, and that they had voted a supply if sir H. Vane had not hindered it by so positive a declaration that his majesty would refuse it, was heartily sorry for what he had done; declared with great anger that he had never given him such authority, and that he knew well that

1640 the giving him any supply would have been welcome to him, because the reputation of his subjects assisting him in that conjuncture was all that he looked for and considered. He consulted the same or the next day whether he might by his proclamation recall them to meet together again; but finding that impossible, he fell roundly to find out all expedients for the raising of money, in which he had so wonderful success that in less than three weeks by the voluntary loan of the particular lords of the Council and of other private gentlemen about the city, some relating to the Court and others strangers to it, there was no less than three hundred thousand pounds paid into the Exchequer to be issued out as his majesty should direct; a sum that sufficiently manifests the plenty of that time, and greater than any prince in Europe could have commanded in so short a time, and was an unanswerable evidence that the hearts of his subjects were not then aliened from their duty to the King or a just jealousy of his honour.

80. All diligence was used in making levies, in which few of the general officers which had been employed the year before were made use of; though it was great pity that the earl of Essex was not again taken in, which had infallibly preserved him from swerving from his duty, and he would have discharged his trust with courage and fidelity, and therefore probably with success. But he was of a rough, proud nature, and did not think his last summer's service so well requited that he was earnestly to solicit for another office, though there was no doubt but he would have accepted it if it had been offered[1].

[1] [In the MS. of the *Life*, p. 96, the account is thus continued:—

'The man whom the King designed for his general was the earl of Strafford, Lieutenant of Ireland, (the government whereof was for that time committed to a deputy *,) a man, though not bred a soldier, who had been in armies, and besides being a very wise man had great courage and was martially inclined. And it may be the greatest motive was his known displeasure and disdain of the Scots and of their insolent behaviour. But the earl chose rather to serve as lieutenant-general under the earl of Northumberland, believing that the conferring that preference upon him would more firmly fasten him to the King's interest, and that his power in the northern

* [Christ. Wandesford, Master of the Rolls.]

81[1]. A general was appointed, the earl of Northumberland; 1640
and the lord Conway general of the horse: which made the great officers of the former year, the earl of Arundel, the earl of Essex, and the earl of Holland, (who thought themselves free from any oversights which had been committed,) more capable of infusions by those who were ready to work according to the occurrences upon their several constitutions; and I am persuaded if this war had been left to the managery of the same officers, or rather if the earl of Essex had been made general, (who, notwithstanding the trivial disobligation he had received in being denied the command of Needwood[2] forest, might easily have been caressed,) it would have been more prosperously carried on. But the reputation of the earl of Northumberland (who indeed had arrived at a wonderful general estimation) was believed to be most instrumental: and the lord Conway by as gentle and as general a concurrence was thought an able soldier and of great parts. Besides, the earls of Essex and Holland (for, for the earl of Arundel, there was neither reason why he was general in the first expedition, or why he was not in the second) were thought less governable by those councils to which the main was then to be intrusted, the earl of Strafford bearing a part in them, to whom the first was very averse and the latter irreconcilable.

82. Dispatches were sent into Ireland to quicken the preparations there, which the earl had left in a great forwardness under the care of the earl of Ormond, his lieutenant-general: monies issued out for the levies of horse and foot here[3], and for the making a train: all which were as well advanced as,

parts would bring great advantage to the King's service. And so the earl of Northumberland was made general, who immediately after fell into a great sickness, and the earl of Strafford lieutenant-general, who at the very time was much indisposed with the gout. But by a joint consent they thought they had well provided for the worst in making choice of the lord Conway to be general,' &c., as in par. 81.]

[1] [Sections 81, 82 are from the MS. of the *History*. That of the *Life* is resumed at 83.]

[2] [Incorrectly read as 'Beedon' in former editions.]

[3] ['There' incorrectly substituted for 'here' in previous editions.]

1640 considering the general discomposure, could be reasonably expected.

83. And the King, the earl of Northumberland, and the earl of Strafford, thought they had well provided for the worst in making choice of the lord Conway to be general of the horse: a man very dear to the two earls, and [who had] indeed, by a very extraordinary fate, got a very particular interest and esteem in many worthy men of very different qualifications. He had been born a soldier, in his father's garrison of the Brill when he was governor there, and bred up under the particular care of the lord Vere, whose nephew he was, in several commands; and though he was married young, when his father was Secretary of State, there was no action of the English either at sea or land in which he had not a considerable command; and always preserved a more than ordinary reputation, in spite of some great infirmities which use to be a great allay to the credit of active men; for he was a voluptuous man in eating and drinking, and of great license in all other excesses, and yet was very acceptable to the strictest and the gravest men of all conditions. And, which was stranger than all this, he had always from his pleasure, to which his nature excessively inclined him, and from his profession, in which he was diligent enough, reserved so much time for his books and study that he was well versed in all parts of learning, at least appeared like such a one in all occasions and in the best companies. He was of a very pleasant and inoffensive conversation, which made him generally very acceptable: so that the Court being at that time full of faction, very few loving one another or those who resorted to any who were not loved by them, he alone was even domestic with all, and not suspected by either of the lords' or the ladies' factions.

84. The war was generally thought to be as well provided for as after the last year's miscarriage it could be by his being made general of the horse; and no man was more pleased with it than the archbishop of Canterbury, who had contracted an extraordinary opinion of this man, and took great delight in his company, he being well able to speak

in the affairs of the Church, and taking care to be thought 1640
by him a very zealous defender of it, when they who knew him better knew he had no kind of sense of religion and thought all was alike. He was sent down with the first troops of horse and foot which were levied to the borders of Scotland, to attend the motion of the enemy, and had a strength sufficient to stop them if they should attempt to pass the river, which was not fordable in above one or two places, there being good garrisons in Berwick and Carlisle. And in this posture he lay near Newburn in the outskirts of Northumberland.

85[1]. Whilst these things were thus publicly acted, private agitations were not less vigorously intended. The treaty and Pacification of the former year had given an opportunity of forming correspondences and contriving designs which before had been more clandestine; and the late meeting in Parliament had brought many together who could not otherwise have met, and discovered humours and affections which could not else have been so easily communicated. The Court was full of faction and animosity, each man more intending the ruin of his adversary and satisfying his private malice than advancing his master's service or complying with his public duty, and to that purpose directing all their endeavours and forming all their intercourse; whilst every man sottishly thought him whom he found an enemy to his enemies, a friend to all his other affections, or rather (by the narrowness of his understanding and extent of his passion having contracted all his other affections,) to that one of revenge.

86. And by this means those emissaries and agents for the confusion which was to follow were furnished with opportunity and art to entangle all those (and God knows they were a great people) who were transported with those vulgar and vile considerations. Cheap senseless libels were scattered about the city, and fixed upon gates and public remarkable places, traducing some, and proscribing others, of those who

[1] [The MS. of the *History* is here resumed for the text, p. 19.]

1640 were in highest trust and employment. Tumults were raised, and all license both in actions and words taken; insomuch as a rabble of mean, unknown, dissolute persons, to the number
May 11. of some thousands, attempted the house of the lord archbishop of Canterbury at Lambeth, with open profession and protestation that they would tear him in pieces; which (though one of that rabble, a sailor, was apprehended and executed in Southwark, upon an indictment of high treason) was so just a cause of terror that the archbishop, by the King's command, lodged for some days and nights in Whitehall; which place was not likewise unthreatened in their seditious meetings and discourses. This infamous, scandalous, headless insurrection, (quashed by the deserved death of that one varlet,) was not then thought to be contrived or fomented by any persons of quality: yet it was discoursed after in the House of Commons by Mr. Strowde (one of those *Ephori* who most avowed the curbing and suppressing of majesty) with much pleasure and content, and it was mentioned in the first draught of the first Remonstrance (when the same was brought in by Mr. Pim) not without a touch of approbation, which was for that reason somewhat altered, though it still carried nothing of judgment upon it in that piece.

87. Things standing thus both in the Court and city, and the Scots preparing amain for an invasion, and we, at least, for a defence, on a sudden the lord Lowden, (who before was said to be committed for desiring protection and aid from the French
June 27. king by a letter under his hand) was discharged from his imprisonment, without imparting that resolution to the Council, and, after a few days admittance and kind reception at Whitehall, was dismissed into Scotland; his authority and power with that people being as considerable as any man's, and his conduct as necessary for the enterprises they had in hand. This stratagem was never understood, and was then variously spoken of; many believing he had undertaken great matters for the King in Scotland, and to quiet that distemper: others, that it was an act entirely compassed by the marquis of Hamilton, (who was like to stand in need of great supporters) by that extraordinary obligation to endear himself with that nation, or to com-

municate somewhat to that nation if his condition before were so good that it needed no endearment. They who published their thoughts least, made no scruple of saying that if the policy were good and necessary of his first commitment, it seemed as just and prudent to have continued him in that restraint. 1640

88. The progress in the King's advance for Scotland was exceedingly hindered by the great and dangerous sickness of the earl of Northumberland the general, whose recovery was either totally despaired of by the physician, or pronounced to be expected very slowly, so that there would be no possibility for him to perform the service of the north: whereupon he sent to the King, that he would make choice of another general. And though the lord Conway in all his letters sent advertisement that the Scots had not advanced their preparations to that degree that they would be able to march that year, yet the King had much better intelligence that they were in readiness to move, and so concluded that it was necessary to send another general; and designed the earl of Strafford for that command, and to leave the forces in Ireland which were raised to make a diversion in Scotland to be governed by the earl of Ormond. The earl of Strafford was scarce recovered from a great sickness, yet was willing to undertake the charge out of pure indignation to see how few men were forward to serve the King with that vigour of mind they ought to do, and knowing well the malicious designs which were contrived against himself, but he would rather serve as lieutenant-general under the earl of Northumberland than that he should resign his commission: and so, with and under that qualification, he made all possible haste towards the north, before he had strength enough for the journey.

89. And before he could arrive with the army, that infamous, irreparable rout at Newborn was fallen out; where the enemy marched at a time and place when and where they were expected, through a river deep though fordable, and up a hill where our army was ranged to receive them. Through those difficulties and disadvantages, without giving or taking any blows, (for the five or six men of ours who were killed fell by their cannon before the passing of the river,) they put our whole army to the Aug. 28.

1640 Aug. 29. most shameful and confounding flight that was ever heard of, our foot making no less haste from Newcastle than our horse from Newborn; both leaving the honour and the coal of the kingdom to those who had not confidence enough (notwithstanding the evidence they had seen of our fear) to possess that town in two days after, not believing it possible that such a place, which was able to have waged war with their nation, could be so kindly quit to them: the lord Conway[1] never after turning his face towards the enemy, or doing any thing like a commander, though his troops were quickly brought together again without the loss of a dozen men, and were so ashamed of their flight that they were very willing as well as able to have taken what revenge they would upon the enemy, who were possessed with all the fears imaginable, and could hardly believe their own success till they were assured that the lord Conway with all his army rested quietly in Durham, and then they presumed to enter into Newcastle[2].

90. But it seemed afterwards to be a full vindication to the honour of the nation, that, from this infamous defeat at Newborn to the last entire conquest of Scotland by Cromwell, the Scots' army never performed one signal action against the English, but were always beaten by great inequality of numbers as oft as they approached towards any encounter, if they were not supported by English troops[1].

91. In this posture the earl of Strafford found the army about Durham, bringing with him a body much broken with his late sickness, which was not clearly shaken off, and a mind

[1] ['The lord Conway . . . English troops;' from MS. of *Life*, p. 96.]

[2] ['assured—Newcastle.' These words are interlined in the MS. of the *Life*, and are not in the handwriting of lord Clarendon, and the following words which are in his handwriting are crossed out:—

['*his never after turning his face*, &c.—made it generally believed that he was corrupted by some friends at home, if not by the enemy abroad; and that he was never publicly questioned for it (that is judicially, for he was exposed to all the public reproaches imaginable) was imputed to the spreading of that corruption into many other officers and parts of the army, and to the distraction of the time that immediately ensued, when no order or discipline was observed, but every thing was done according to the humour and presumption of the doer; and it seemed,' &c., as in § 90, line 1.]

and temper confessing the dregs of it, which being marvellously provoked and inflamed with indignation at the late dishonour, rendered him less gracious, that is, less inclined to make himself so, to the officers upon his entrance into his first charge; it may be, in that mass of disorder and unsoldierliness not quickly discerning to whom kindness and respect was justly due. But those who by this time, no doubt, were retained for that purpose, took that opportunity to incense the army against him, and so far prevailed in it that in a short time it was more inflamed against him than against the enemy, and was willing to have their want of courage imputed to excess of conscience, and that their being not satisfied in the grounds of the quarrel was the only cause that they fought no better. And in this indisposition on all parts, the earl found it necessary to retire with the army to the skirts of Yorkshire, and himself to York, whither the King was come, leaving Northumberland and the bishopric of Durham to be possessed by the victors; who, being abundantly satisfied with what they never hoped to possess, made no haste to advance their new conquests. 1640 Aug. 22.

92. It was then, and is still, much wondered at that the earl of Strafford upon his first arrival at the army called no persons to a council of war for that shameful business of Newborn, or the more shameful quitting of Newcastle, where were not ten barrels of musquet bullets, nor moulds to make any; the enemy having been long expected there, and our army not less than a month in that town, time enough, (if nothing had been done before,) to have made that place tenable for a longer time than it could have been distressed[1]. Whether the earl saw that it would not have been in his power to have proceeded finally and exemplarily upon that inquisition, and therefore chose rather not to enter upon it; or whether he found the guilt to be so involved, that, though some were more obnoxious, few were unfaulty; or whether he plainly discerned whither the whole tended, and so would not trouble himself further in discovering of that which instead of a reproach might prove a benefit to the

[1] [Conway's Narrative in vindication of his conduct is printed in the *Clar. State Papers*, vol. ii. pp. 99–110.]

1640 persons concerned; I know not: but any public examination it never had.

93. The Scots needed not now advance their progress; their game was in the hands (no prejudice to their skill) of better gamesters. Besides, they were not to make the least inroad, or do the least trespass to their neighbours of Yorkshire; who were as solicitous that, by any access or concurrence of the strength of that large county, they should not be driven further back; and therefore, instead of drawing their trained bands together (which of themselves would have been a greater or a better army than was to contend with them) to defend their county, or the person of the King then with them, they prepared petitions of advice and good counsel to him to call a Parliament, and to remove all other grievances but the Scots. At the same time some lords from London (of known and since published
Sept. 3. affections to that invasion) attended his majesty at York with a petition, signed by others, (eight or ten in the whole,) who were craftily persuaded by the liegers there (Mr. Pim, Mr. Hambden, and Mr. St. John,) to concur in it, being full of duty and modesty enough, without considering that nothing else at that time could have done mischief; and so suffered themselves to be made instruments towards those ends which in truth they abhorred.

94. In these distractions and discomposures, between an enemy proud and insolent in success, an army corrupted or at best disheartened, a country mutinous and inclined to the rebels, at least not inclined to reduce them, and a Court infected with all three, the King could not but find himself in great straits; besides that his treasure, which had hitherto kept that which was best from being worse, was quite spent. The raising and disbanding the first army so unfortunately and wretchedly had cost full three hundred thousand pounds, which the good husbandry of the ministers of the revenue had treasured up for an emergent occasion; and the borrowing so much money for the raising and supplying this latter army had drawn assignments and anticipations upon the revenue to that degree that there was not left wherewithal to defray the constant

necessary expense of the King's household. A Parliament would 1640
not be easily thought of, for many other considerations than that it could not come together speedily enough to prevent that mischief to which it should be chiefly applied: for, if we were not then in a condition to defend ourselves, in forty days (the soonest a Parliament could meet) an army elate with victory, when no town was fortified or pass secured, would run over the kingdom, especially the people being every where so like to bid them welcome.

95. A new Convention, not before heard of, that is, so old that it had not been practised in some hundreds of years, was thought of; to call a Great Council of all the Peers of England to meet and attend his majesty at York, that by their advice that great affair might be the more prosperously managed. Whether it was then conceived that, the honour of the King and kingdom being so visibly upon the stage, those branches of honour which could not outlive the root would undoubtedly rescue and preserve it; or whether it was believed that upon so extraordinary an occasion the peers would suffice to raise money, as it was in that meeting proposed by one of them, 'that they might give subsidies;' whether the advice was given by those who had not the confidence in plain terms to propose a Parliament, but were confident that would produce one; or whether a Parliament was then resolved on, and they called to be obliged by it, and so to be obliged to some sober undertaking in it; or what other ground or intention there was of that Council; was never known: or whether indeed it was resolved out of the trouble and agony of afflicted thoughts, because no other way occurred: but such a resolution was taken, and writs immedi- Sept. 5.
ately issued under the Great Seal of England to all the Peers to attend his majesty at York within twenty days; and preparations were made in all places accordingly.

96. Whilst the Lords are on their way thither, it will not be amiss to consider the general state of affairs in that time, and the persons to whom the managing the public business was principally then, and for some time had been, intrusted; that so, upon view of the materials, we may be the better enabled

1640 to guess how those dexterous workmen were like to employ themselves. It is told you before, that, upon the dissolution of the Parliament but four months before, the Lords of the Council bestirred themselves in levying the ship-money and in lending great sums of money for the war.

97. The Convocation house (the regular and legal assembling of the clergy), customarily beginning and ending with Parliaments, was after the determination of the last by a new May–June writ continued, and sat for the space of above a month under the proper title of a Synod; made Canons, that it might do; and gave subsidies and enjoined oaths, that it might not do: in a word, did many things which in the best times might have been questioned, and therefore were sure to be condemned in the worst; (what fuel it was to the fire that ensued, shall be mentioned in its place;) and drew the same prejudice upon the whole body of the clergy to which before only some few clergymen were exposed.

98. The Papists had for many years enjoyed a great calm, being upon the matter absolved from the severest parts of the law and dispensed with for the gentlest; and were grown only a part of the revenue, without any probable danger of being made a sacrifice to the law. They were looked upon as good subjects at Court, and as good neighbours in the country, all the restraints and reproaches of former times being forgotten. But they were not prudent managers of this prosperity, being too elate and transported with the protection and connivance they received: though I am persuaded their numbers increased not, their pomp and boldness did, to that degree that, as if they had affected to be thought dangerous to the State, they appeared more publicly, entertained and urged conferences more avowedly, than had been before known: they resorted at common hours to mass to Somerset House and returned thence in great multitudes, with the same barefacedness as others came from the Savoy or the neighbour churches: they attempted, and sometimes obtained, proselytes of weak uninformed ladies, with such circumstances as provoked the rage and destroyed the charity of great and powerful families, which

longed for their suppression: they grew not only secret con- 1640
trivers, but public professed promoters of, and ministers in, the most odious and the most grievous projects, as in that of soap, 1632
formed, framed, and executed, by almost a corporation of that Jan.
religion, which, under that license and notion, might [be], and were suspected to be, qualified for other agitations. The priests, and such as were in orders, (orders that in themselves were punishable by death,) were departed from their former modesty and fear, and were as willing to be known as to be hearkened to; insomuch as a Jesuit at Paris, who was coming for England, had the boldness to visit the ambassador there, who knew him to be such, and, offering his service, acquainted him with his journey, as if there had been no laws here for his reception. And, for the most envious protection and countenance of that whole party, a public agent from Rome (first Mr. Con, a Scotchman, and after him the count of Rozetti, an Italian) resided at London in a great port, publicly visited the Court, and was avowedly resorted to by the Catholics of all conditions, over whom he[1] assumed a particular jurisdiction, and was caressed and presented magnificently by the ladies of honour who inclined to that profession. They had likewise, with more noise and vanity than prudence would have admitted, made public collections of money to a considerable sum, upon some recommendations from the Queen, and to be 1639
by her majesty presented as a free-will offering from his Roman Apr. 17.
Catholic subjects to the King for the carrying on the war against the Scots; which drew upon them the rage of that nation, with little devotion and reverence to the Queen herself, as if she desired to suppress the Protestant religion in one kingdom as well as the other by the arms of the Catholics. To conclude, they carried themselves so, as if they had been suborned by the Scots to root out their own religion.

99. The bulk and burden of the State affairs, whereby the envy attended them likewise, lay principally upon the shoulders of the lord archbishop of Canterbury, the earl of Strafford, and the lord Cottington; some others being joined to them, as the

[1] [Incorrectly altered in the MS. to 'they.']

1640 earl of Northumberland for ornament, the lord bishop of London for his place, being Lord High Treasurer of England, the two Secretaries, sir H. Vane and sir Francis Winnibanke [Windebank], for service and communication of intelligence; only the marquis of Hamilton indeed, by his skill and interest, bore as great a part as he had a mind to do, and had the skill to meddle no further than he had a mind. These persons made up the Committee of State, (which was reproachfully after called *the Juncto*, and enviously then in the Court *the Cabinet Council*,) who were upon all occasions when the Secretaries received any extraordinary intelligence or were to make any extraordinary dispatch, or as often otherwise as was thought fit, to meet: whereas the body of the Council observed set days and hours for their meeting, and came not else together except specially summoned.

100. But, as I said before, the weight and the envy of all great matters rested upon the three first; the archbishop, besides the sole disposal of whatsoever concerned the Church, which was an envious province, having been from the death of the earl of Portland (at which time he was made Commissioner of the Treasury) more engaged in the civil business than I am persuaded he desired to be; and throughout the whole business passionately concerned for the Church of Scotland, and so, conversant in those transactions: by all which means, besides that he had usually about him an uncourtly quickness, if not sharpness, and did not sufficiently value what men said or thought of him, a more than ordinary prejudice and uncharitableness was contracted against him; to which the new Canons, and the circumstances in making them, made no small addition.

101. The earl of Strafford had for the space of almost six years entirely governed Ireland, where he had been compelled, upon reason of State, to exercise many acts of power, and had indulged some to his own appetite and passion, as in the cases of the Lord Chancellor[1] and the lord Mount-Norris[2]; the first of

[1] [Adam, visc. Loftus of Ely, committed to prison in Feb., 1638. See book iii. § 115.]

[2] [Francis Annesley, visc. Mount-Norris, sentenced to be beheaded, Dec., 1635. See book iii. § 111.]

which was *satis pro imperio*, but the latter, if it had not concerned 1640
a person notoriously unloved, and so the more unpitied, would have been thought the most extravagant piece of sovereignty that in a time of peace had been ever executed by any subject. When and why he was called out of Ireland to assist in Council here, I have touched before. He was a man of too high and severe a deportment, and too great a contemner of ceremony, to have many friends at Court, and therefore could not but have enemies enough: he had two that professed it, the earl of Holland and sir Harry Vane. The first could never forget or forgive a sharp sudden saying of his, (for I cannot call it counsel or advice,) when there had been some difference a few years before between his lordship and the lord Weston, in the managing whereof the earl of Holland was confined to his house, 'that the King should do well to cut off his head:' which had been aggravated (if such an injury were capable of aggravation) by a succession of discountenances mutually performed between them to that time. Sir Henry Vane had not far to look back to the time that the earl had with great earnestness opposed his being made Secretary and prevailed for above a month's delay; which, though it was done with great reason and justice by the earl, on the behalf of an old fellow-servant and his very friend, sir John Coke, (who was to be, and after was, removed to let him in,) yet the justice to the one lessened not the sense of unkindness to the other: after which, or about the same time, (which, it may be, made the other to be more virulently remembered,) being to be made earl of Strafford, he would needs in that patent have a new creation of a barony, and was made baron of Raby, a house belonging to sir H. Vane, and an honour he made account should belong to him too; which was an act of the most unnecessary provocation (though he contemned the man with marvellous scorn) that I have known, and I believe was the loss of his head. To these a third adversary (like to be more perilous than the other two) was added; the earl of Essex, (naturally enough disinclined to his person, his power, and his parts,) upon some rough carriage of the earl of Strafford's towards the late earl 1635

1640 of St. Alban's, to whom he had some piety, openly professed revenge. Lastly, he had an enemy more terrible than all the others, and like to be more fatal, the whole Scotch nation, pro-
March 30. voked by the Declaration he had procured of Ireland, and some high carriage and expressions of his against them in that kingdom. So that he had reason to expect as hard measure from such popular councils as he saw were like to be in request, as all those disadvantages could create towards him. And yet no doubt his confidence was so great in himself, and in the form of justice, (which he could not suspect would be so totally confounded,) that he never apprehended a greater censure than a sequestration from all public employments, in which it is probable he had abundant satiety: and this confidence could not have proceeded (considering the full knowledge he had of his judges) but from a proportionable stock, and satisfaction, in his own innocence.

102. The lord Cottington, though he was a very wise man, yet having spent the greatest part of his life in Spain, and so having been always subject to the unpopular imputation of being of the Spanish faction, indeed was better skilled to make his master great abroad than gracious at home; and, being Chancellor of the Exchequer from the time of the dissolution of the Parliament in the fourth year, had his hand in many hard shifts for money; and had the disadvantage of being suspected at least a favourer of the Papists, (though that religion thought itself nothing beholding to him,) by which he was in great umbrage with the people: and then, though he were much less hated than either of the other two, and the less because there was nothing of kindness between the archbishop and him, and indeed very few particulars of moment could be proved against him, yet there were two objections against him which rendered him as odious as any to the great reformers; the one, that he was not to be reconciled to, or made use of in, any of their designs; the other, that he had two good offices, without the having of which their reformation could not be perfect. For, besides being Chancellor of the Exchequer, he was likewise Master of the Wards, and had raised the revenue

of that court to the King to be much greater than it had 1640
ever been before his administration; by[1] which husbandry, all the rich families of England, of noblemen and gentlemen, were exceedingly incensed, and even indevoted to the Crown, looking upon what the law had intended for their protection and preservation to be now applied to their destruction; and therefore resolved to take the first opportunity to ravish that jewel out of the royal diadem, though it was fastened there by the known law upon as unquestionable a right as the subject enjoyed any thing that was most his own.

103. The marquis of Hambleton, if he had been then weighed in the scales of the people's hatred, was at that time thought to be in greater danger than any one of the other; for he had more enemies and fewer friends in court or country than either of the other. His interest in the King's affections was equal, and thought to be superior, to any man's; and he had received as envious instances and marks of those affections. He had more out-faced the law in bold projects and pressures upon the people than any other man durst have presumed to do, as especially in the projects of wine and iron; about the last of which, 1630, 1637
and the most gross, he had a sharp contest with the lord Coventry, (who was a good wrestler too,) and at last compelled him to let it pass the seal: the entire profit of which always reverted to himself and to such as were his pensioners. He had been the sole manager of the business of Scotland till the Pacification; the readiest man, though then absent, to advise that Pacification, and the most visible author of the breach of it. Lastly, the discoveries between the lord Mackey and David Ramsey, wherein the marquis was accused of designing to make 1631
himself king of Scotland, were fresh in many men's memories, and the late passages in that kingdom had revived it in others, so that he might reasonably have expected as ill a presage for himself from those fortunetellers as the most melancholic of the other. But as he had been always most careful and solicitous for himself, so he was most likely to be apprehensive on his own behalf and to provide accordingly.

[1] ['and by,' MS.]

1640 104. And here I cannot omit a story which I received from a very good hand, by which his great subtlety and industry for himself may appear, and was indeed as great a piece of art (if it were art) as I believe will be found amongst the modern politicians. After the calling the Council of the Peers at York was resolved upon, and a little before the time of their appearance, the marquis came to the King, and, with some cloudiness (which was not unnatural) and trouble in his countenance, he desired his majesty to give him leave to travel: the King, surprised, was equally troubled at it and demanded his reason: he told him, 'he well foresaw a storm, in which his shipwreck was most probable amongst others; and that he, never having any thing before his eyes but his majesty's service, or in his vows but an entire simple obedience to his commands, might happily, by his own unskilfulness in what was fit by any other rule, be more obnoxious than other men; and therefore, that, with his majesty's leave, he would withdraw himself from the hazard at least of that tempest.' The King, most graciously inclined to him, bad him 'be most confident, that though he might (which he was resolved to do) gratify his people with any reasonable indulgence, he would never fail his good servants in that protection which they had equal reason to expect from him.' The marquis with some quickness replied, 'that the knowledge of that gracious disposition in his majesty was the principal cause that he besought leave to be absent; and that otherwise he would not so far desert his own innocence, which he was sure could be only sullied and discredited with infirmities and indiscretions, not tainted or defaced with design and malice. But,' said he, 'I know your majesty's goodness will interpose for me to your own prejudice: and I will rather run any fortune from whence I may again return to serve you, than be (as I foresee I should be) so immediate a cause of damage and mischief to so royal a master.' He told him that 'he knew there were no less fatal arrows aimed at the archbishop of Canterbury and the earl of Strafford than at himself; and that he had advertised the first, and advised the last, to take the same course;' he meant, to secure by withdrawing: 'but,' he said, 'the earl was

too great-hearted to fear, and he doubted the other was too bold to fly.' 1640

105. The King was much disturbed with the probability and reason of what was said; which the other as soon observing, 'There is,' said he, 'one way by which I might secure myself without leaving the kingdom, and by which your majesty, as these times are like to go, might receive some advantage: but it is so contrary to my nature, and will be so scandalous to my honour in the opinion of men, that, for my own part, I had rather run any fortune.' His majesty, glad that such an expedient might be found, (as being unwilling to hazard his safety against so much reason as had been spoken, by compelling him to stay, and as unwilling, by suffering him to go, to confess an apprehension that he might be imposed upon,) impatiently asked, 'What that way was?' The marquis replied, 'That he might endear himself to the other party by promising his service to them, and seeming to concur with them in opinions and designs; the which he had reason to believe the principal persons would not be averse to, in hope that his supposed interest in his majesty's opinion might be looked upon as of moment to them for their particular recommendations. But,' he said, 'this he knew would be immediately looked upon with so much jealousy by other men, and shortly with that reproach, that he might by degrees be lessened even in his majesty's own trust, and therefore it was a province he had no mind to undertake:' and so renewed his suit again very earnestly for leave to travel.

106. The King, for the reasons aforesaid, much delighted with this expedient, and believing likewise that in truth he might by this means frequently receive animadversions of great use, and having a singular esteem of the fidelity and affection of the marquis, told him positively that he should not leave him; that he was not only contented, but commanded him to ingratiate himself by any means with the other people, and assured him that it should not be in any body's power to infuse the least jealousy of him into his royal breast. The which resolution his majesty observed so constantly that the other enjoyed the liberty of doing whatsoever he found necessary for his own behoof; and

1640 with wonderful craft and low condescensions to the ends and the appetites of very inferior people, and by seasonable insinuations to several leading persons (of how different inclinations soever) of such particulars as were grateful to them and seemed to advance their distinct and even contrary interests and pretences, he grew to have no less credit in the Parliament than in the Scots' commissioners; and was with great vigilance, industry, and dexterity, preserved from any public reproach in those charges which served to ruin other men, and which with more reason and justice might have been applied to him than against any others; and yet for a long time he did not incur the jealousy of the King, to whom he likewise gave many advertisements which, if there had been persons enough who would have concurred in prevention, might have proved of great use.

107. In this state and condition were things and persons when the Lords came to York to the Great Council in September; and
Sept. 24. the first day of their meeting (that the counsel might not seem to arise from them who were resolved to give it, and that the Queen might receive the honour of it, who, he said, had by a letter advised him to it; as his majesty exceedingly desired to endear her to the people) the King declared to them that he was resolved to call a Parliament to assemble at Westminster the third day of November following; which was as soon as was possible. So the first work was done to their hands, and they had now nothing to do but to dispose matters in order against that time, which could not well be done without a more overt conversation with the Scots. For though there was an intercourse made, yet it passed for the most part through hands whom the chief had no mind to trust; as the lord Savill, whom his bitter hatred to the earl of Strafford, and as passionate hope of the Presidentship of the North, which the earl had, made applicable to any end, but otherwise a person of so ill a fame that many desired not to mingle with him. For, besides his no reputation, they began now to know that he had long held correspondence with the Scots before their coming in, and invited them to enter the kingdom with an army; in order to which, and to raise his own credit, he had counterfeited the

hands of some other lords, and put their names to some under- 1640
takings of joining with the Scots; and therefore they were resolved to take that negociation out of his hands, without drawing any prejudice upon him for his presumption, which they had quickly an opportunity to do. For, the first day of the Lords' meeting, a petition is presented to his majesty full of dutiful and humble expressions from the Scots, who well knew their time, and had always (how rough and undutiful soever their actions were) given the King as good and submissive words as can be imagined. This petition, full of as much submission as a victory itself could produce, (as was urged by some lords,) could not but beget a treaty, and a treaty was resolved on speedily to be at Rippon, a place in the King's quarters: but then special care was taken, by cautions given to his majesty, that no such ungracious person might be intrusted by him in this treaty as might beget jealousies in the Scots, and so render it fruitless: and therefore the earls of Hertford, Bedford, Essex, Pembroke, Salisbury, Holland, Bristol, and Berkshire, the lords Mandevill, Wharton, Dunsmore, Brook, Savill, Pawlet, Howard of Escrigg (the lord Say being sick, and so not present at York) were chosen by the King; all popular men, and not one of them of much interest in the Court but only the earl of Holland, who was known to be fit for any counsel that should be taken against the earl of Strafford, who had not amongst them one friend or person civilly inclined towards him.

108. When these commissioners from the King arrived at Oct. 1.
Rippon, there came others from the Scots' army of a quality much inferior, there being not above two noblemen, whereof lord Lowden was the chief, two or three gentlemen and citizens, and Alexander Henderson their metropolitan, and two or three other clergymen. The Scots applied themselves most particularly to the earls of Bedford, Essex, Holland, and the lord Mandevill, though in public they seemed equally to caress them all; and besides the duty they professed to the King in the most submiss expressions of reverence that could be used, they made great and voluminous expressions of 'their affection to the kingdom and people of England; and remembered the infinite

1640 obligations they had from time to time received from this nation, especially the assistance they had from it in their reformation of religion and their attaining the light of the Gospel; and therefore as it could never fall into their hearts to be ingrateful to it, so they hoped that the good people of England would not entertain any ill opinion of the manner of their coming into this kingdom at this time in a hostile manner, as if they had the least purpose of doing wrong to any particular persons, much less to alter any thing in the government of the kingdom; protesting that they had the same tenderness of their laws and liberties and privileges as of their own; and that they did hope, as the oppressions upon their native country, both in their civil and spiritual rights, had obliged them to this manner of address to the King, to whom all access had been denied them by the power of their enemies, so, that this very manner of their coming in might be for the good of this kingdom and the benefit of the subjects thereof, in the giving them opportunity to vindicate their own liberties and laws; which, though not yet so much invaded as those of Scotland had been, were enough infringed by those very men who had brought so great misery and confusion upon that kingdom, and who intended, when they had finished their work there and in Ireland, to establish the same slavery in England as they had brought upon the other two kingdoms. All which would be prevented by the remove of three or four persons from about the King, whose own gracious disposition and inclinations would bountifully provide for the happiness of all his dominions if those ill men had no influence upon his counsels.'

109. There was not a man of all the English commissioners to whom this kind of discourse was not grateful enough, and who did not promise to himself some convenience that the alterations which were like to happen might produce. And with those lords with whom they desired to enter into greater confidence they conferred more openly and particularly of the three persons towards whom their greatest prejudice was, the archbishop, the earl of Strafford, and the marquis Hambleton, (for in their whole discourses they seemed equally at least incensed against him as

against either of the other two,) whom they resolved should be 1640
removed from the King. They spake in confidence 'of the excess of the Queen's power, which, in respect of her religion and of the persons who had most interest in her, ought not to prevail so much upon the King as it did in all affairs. That the King could never be happy, nor his kingdoms flourish till he had such persons about him in all places of trust as were of honour, and experience in affairs, and of good fortunes and interests in the affections of the people, who would always inform his majesty that his own greatness and happiness consisted in the execution of justice and the happiness of his subjects, and who are known to be zealous for the preservation and advancement of the Protestant religion, which every honest man thought at present to be in great danger by the exorbitant power of the archbishop of Canterbury and some other bishops who were governed by him.' It was no hard matter to insinuate into the persons with whom they held this discourse that they were the persons to whom they wished all trust should be communicated, and that they were the very men who they wished should be in most credit about the King; and they concluded, 'that their affections were so great to this kingdom and that all grievances might be reduced here, that, if they might receive present satisfaction in all that concerned themselves, they would not yet return till provision might likewise be made for the just interest of England and the reformation of what was amiss there with reference to Church and State.'

110. This appeared so hopeful a model to most of the King's commissioners, that, having no method prescribed to them to treat in, (and were indeed sent only to hear what the Scots would propose, the King himself then intending to determine what should be granted to them,) they never considered the truth of any of their allegations, nor desired to be informed of the ground of their proceedings; but patiently hearkened to all they said in public, of which they intended to give an account to the King, and willingly heard all they said in private, and made such use of it as they thought most conduced to their own ends. The Scots' commissioners proposed, 'that, for the avoiding the

1640 effusion of Christian blood, there might be some way found to prevent all acts of hostility on either side; which could not possibly be done except some order was given for the payment of their army, which was yet restrained to close and narrow quarters.' And the truth is, they were in daily fear that those quarters would have been beaten up, and so the ill courage of their men too easily discovered, who were more taught to sing psalms and to pray than to use their arms; their hopes of prevailing being from the beginning founded upon an assurance that they should not be put to fight.

111. There had been in that infamous rout at Newborn two or three officers of quality taken prisoners, who, endeavouring to charge the enemy with the courage they ought to do, being deserted by their troops could not avoid falling into the Scots' hands; two of which were Wilmot, who was commissary-general of the horse, and O'Neale, who was major of a regiment; both who were officers of name and reputation, and of good esteem in the Court with all those who were incensed against the earl of Strafford, towards whom they were both very indevoted. These gentlemen were well known to several of the principal commanders in the Scots' army, (who had served together with them in Holland under the Prince of Aurange,) and were treated with great civility in their camp; and when the commissioners came to Rippon they brought them with them, and presented them to the King by his commissioners, to whom they were very acceptable, and did those who delivered them more service by the reports they made of them in the army, when they returned to their charges, and in the Court, than they could have done by remaining prisoners with them, and contributed very much to the irreconciling the army to the earl of Strafford, who was to command it.

Oct. 6 *and* 17[1]. 112. After few days the commissioners returned to the King at York, and gave him an account of what had passed, and of the extraordinary affection of the Scots to his majesty's service; and Wilmot and O'Neale magnified the good discipline and order

[1] [*Hardwicke State Papers*, 1778, ii. 202, 241. *Calendar of State Papers*, 1640–1, pp. 144, 175.]

observed in the army, and made their numbers to be believed much superior to what in truth they were. 1640

113. Three of the commissioners, and no more, were of the King's Council, the earls of Pembroke, Salisbury, and Holland, who were all inspired by the Scots, and liked well all that they pretended to desire. Besides those, the King had nobody to consult with but the Lord Keeper Finch, the duke of Richmond, the marquis Hambleton, the earl of Strafford, and sir Harry Vane, principal Secretary of State. The first of which, the Lord Keeper, was obnoxious to so many reproaches that, though his affection and fidelity was very entire to the King, all his care was to provoke no more enemies, and to ingratiate himself to as many of those who he perceived were like to be able to protect him, which he knew the King would not be able to do; and towards this he laboured with all industry and dexterity. The duke of Richmond was young, and used to discourse with his majesty in his bedchamber rather than at the Council-board, and a man of honour and fidelity in all places, and in no degree of confidence with his countrymen because he would not admit himself into any of their intrigues. The marquis had leave to be wary, and would give his enemies no new advantages.

114. Nor indeed was there any man's advice of much credit with the King but that of the earl of Strafford; who had no reason to declare his opinion upon so nice a subject in the presence of the earl of Holland and sir Harry Vane, and thought there was only one way to be pursued, (which was not to be communicated at the Council,) and that was to drive the Scots out of the kingdom by the army: and without considering what was done at the treaty, (which had not yet agreed upon any cessation,) he sent a good party of horse, commanded by major Smith[1], to fall upon a Scotch quarter in the bishopric of Durham, who defeated two or three of their

[1] [At Croft Bridge, where the Scots, having crossed the Tees, were plundering the house of one Mr. Pudsey, on Sept. 18, when Lieut. Smith routed them and took Sir Archibald Douglas and other officers prisoners. This was before the commencement of the treaty. *Calendar of State Papers*, 1640-1, pp. 79, 80, 99, 178. *Calendar of Clarendon State Papers*, vol. i, p. 207.]

1640 troops and took all the officers prisoners, and made it manifest enough that the kingdom might be rid of the rest, if it were vigorously pursued; which the earl of Strafford heartily intended. But Lashly [Lesley], the Scots' general, complained that he himself had forborne to make any such attempt out of respect to the treaty; and the English commissioners thought themselves neglected and affronted by it. And when it was found that the officer who conducted that enterprise was a Roman Catholic, it made more noise; and they prevailed with the King to restrain his general from giving out any more such orders.

115. And the King began so far to dislike the temper of his commissioners that he thought the Parliament itself would be more jealous of his honour, and more sensible of the indignities he suffered by the Scots, than the commissioners ap-
Oct. 14 peared to be; and therefore he sent them back to Rippon
and 18. again to renew the treaty, and to conclude a cessation of arms upon as good terms as they could; so that the Scots' army might not advance into Yorkshire, nor enlarge their quarters any way beyond what they were already possessed of: and the cessation being agreed to, they should not enter upon any other particulars, but adjourn the treaty to London; which was the only thing the Scots desired, and without this they could never have brought their designs to pass. When the other lords returned to Rippon, the earl of Pembroke (as a man of a great fortune, and at that time very popular) was sent
Sept. 25. with two or three other lords to London, with a letter from the King, and a subscription from the lords commissioners of the treaty (which was then more powerful), to borrow two hundred thousand pounds from the city for the payment of both armies whilst the cessation and treaty should continue, which they hoped would quickly be at an end, and the Scots return into their own country.

116. The city was easily persuaded to furnish the money, to be repaid out of the first that should be raised by the Parliament, which was very shortly to meet. And the commissioners
Oct. 26. at Rippon quickly agreed upon the cessation, and undertook to pay fifty thousand pound the month for the support of the

Scots' army[1], when they did assign but thirty thousand pound 1640
the month for the payment of the King's; taking the Scots' commissioners' word for their musters, which made their numbers so much superior to the other; which two sums amounting to fourscore thousand pound the month, a sum too great for the kingdom to pay long, as was then generally believed, it was pretended that two months would put an end to the treaty; so that the two hundred thousand pounds which the city had supplied would discharge all to the disbanding. And in this hope the King confirmed the cessation, and sent a safe conduct for such commissioners as the Scots should think fit to send to London for the carrying on the treaty.

117. All which being done, the King and the Lords left York, that they might be at London before the beginning of the Parliament; the earl of Strafford staying still in the north to put the army into as good a posture as he could, and to suppress the mutinous spirit it was inclined to; and, if it were possible, to dispose that great county (of which he had the entire command) to a better temper towards the King's service, and to a greater indignation towards the Scots, of whom they did not use to have too charitable an opinion. But in both these applications he underwent great mortification; the officers of the army every day asking his leave to repair to London, being chosen to serve in Parliament, and when he denied to give them passes they went away without them: and the gentlemen of the country who had most depended upon him, and been obliged by him, withdrawing their application and attendance, and entering into combination with his greatest enemies against him.

118. It is not to be denied the King was in very great straits, and had it not in his power absolutely to choose which way he would go, and well foresaw that a Parliament in that conjuncture of affairs would not apply natural and proper remedies to the disease; for though it was not imaginable it

[1] [This is a mistake. The Scottish commissioners asked at first for £40,000 *per mensem*, then for £30,000. The sum was at last fixed at £850 *per diem* for two months from Oct. 16.]

1640 would have run the courses it afterwards did, yet it was visible enough he must resign very much to their affections and appetite, which were not like to be contained within any modest bounds; and therefore no question his majesty did not think of calling a Parliament at first but was wrought to it by degrees. Yet the Great Council could not but produce the other; where the unskilfulness and passion of some for want of discerning consequences, and a general sharpness and animosity against persons, did more mischief than the power or malice of those who had a formed design of confusion; for without doubt that fire at that time (which did shortly after burn the whole kingdom) might have been covered under a bushel. So as in truth there was no counsel so necessary then as for the King to have continued in his army, and to have drawn none thither but such as were more afraid of dishonour than danger, and to have trusted the justice and power of the law with suppressing of tumults and quieting disorders in his rear.

119. It is strange, and had somewhat of a judgment from Heaven in it, that all the industry and learning of the late years had been bestowed in finding out and evincing that in case of necessity any extraordinary way for supply was lawful, and upon that ground had proceeded when there was no necessity; and now, when the necessity was apparent, money must be levied in the ordinary course of Parliament, which was then more unnatural and extraordinary than the other had been; as York must be defended from an enemy within twenty-five miles of it by money to be given at London six weeks after, and to be gathered in six months. It had been only the season and evidence of necessity that had been questioned; and the view of it in a perspective of state at a distance that no eyes could reach denied to be ground enough for an imposition: as no man could pull down his neighbour's house because it stood next furze, or thatch, or some combustible matter which might take fire, though he might do it when that combustible matter was really a-fire. But it was never denied that *flagrante bello*, when an enemy had actually

invaded the kingdom, and so the necessity both seen and felt, 1640
all[1] men's goods are the goods of the public, to be applied to the public safety, and as carefully to be repaired by the public stock. And it is very probable, (since the factions within and the correspondence abroad was so apparent, that a Parliament then called would do the business of the Scots and of those who invited them hither,) that if the King had positively declared that he would have no Parliament as long as that army stayed in England, but as soon as they were retired into their own country he would summon one and refer all matters to their advice, and even be advised by them in the composing the distractions of Scotland, I say it is probable, that they would either willingly have left the kingdom or speedily have been compelled; there being at that time an army in Ireland (as was said before) ready to have visited their own country.

120. Neither would the indisposition of the King's army (which was begot only by those infusions that there must of necessity be a Parliament which would prevent farther fighting) have lasted, when they had found those authors confuted; for the army was constituted of good officers, which were more capable of being deceived by their friends than imposed upon by their enemies; and they had their soldiers in good devotion, and the business of Newborn would rather have been a spur than a bit to all. And it had been much the best course that could have been taken, if, after the fright at Newborn, the King, as well as the earl of Strafford, had made haste to Durham and kept that post, without staying at York; and, after some exemplary justice and disgrace upon the chief officers who were faulty, till the army had recovered their spirits, (which in a very short time it did with shame and indignation enough,) had marched directly against the Scots; by which they would speedily have dispossessed them of their new conquest, and forced them to have run distracted into their own country; as may be reasonably concluded from their behaviour whenever they were assaulted afterwards by the English.

[1] ['that all,' MS.]

1640 121. And it is as strange, that the experience of the last summer, when the attendance of so great a number of the nobility who had no mind to the war and as little devotion to the Court was the true ground and cause of that ridiculous Pacification, did not prevail with the King never to convene the same company to him, which could do him very little good if they had desired it, and could not but do him more harm than even the worst of them at that time intended to do: for it might very easily have been foreseen that the calling so many discontented or disobliged or disaffected men together, with a liberty to consult and advise, very few whereof had that affection and reverence for the person of the King as they ought to have had, though scarce any of them had at that time that mischief in their hearts which they afterwards discovered against him, or indeed had the least purpose to rebel, I say, the calling such men together could not but make every man much worse than they came, and put worse thoughts into their heads than they brought with them, when the miscarriage as well as the misfortune of the Court would be the common argument and discourse; and when they would quickly discern that it was like to be in every one of their power[s] to contribute to the destruction, at least to the disgrace, of men they had no kindness for, and most of them great animosity against.

122. But the King was without the presence and attendance of any man in whose judgment and wisdom he had a full confidence; for the earl of Strafford was at the army; and they who first proposed the calling the Peers knew well enough that the King knew Parliaments too well to be inclined to call one, if they should propose it; and therefore they proposed another expedient, which he knew not, and so was surprised with the advice, (which he thought could do no harm,) and so gave direction for the issuing out of the writs before he enough considered whether it might not in truth produce some mischief he had not well thought of; as he quickly found it. Nor did the Scots themselves resolve to give him more disquiet in the ensuing Parliament, than the major part of his Great Council that he brought together resolved to concur with them therein:

and with that disposition, which they could never have contracted if they had remained by themselves, they all hastened to the place where they might do the mischief they intended. 1640

123. The next error to this was, that at the meeting of the Great Council at York, and before any consent to the treaty at Rippon, there was not a state made, and information given, of the whole proceedings in Scotland, and thereupon some debate and judgment by the whole Council before the sixteen departed, for their information and instruction: and this had been strangely omitted before at the Pacification, insomuch as many who had been employed in that first at the Berkes, and in the last at Rippon, confessed that neither of them (and they were of the prime quality) then did, or ever after, know any thing of the laws and customs of that kingdom, by which they might have judged whether the King had exceeded his just power, or any thing of the matter of fact in the several transactions, but what they had received at those meetings from the persons who were naturally to make their own defence, and so by accusing others to make their own case the more plausible; in which it could not be expected they would mention any thing for their own disadvantage.

124. By them they were told of a liturgy imposed upon them by their bishops, contrary [to] or without Act of Parliament, with strange circumstances of severity and rigour: of some clauses in that Liturgy different from that of the Church of England; with pretty smart comments of advice, and animadversion upon those alterations: of a book of Canons in which an extraordinary and extravagant power was asserted to the bishops: of a High Commission court which exceeded all limits and censured all degrees of men: of the insolent speeches of this bishop to that nobleman, and of the ill life of another: of their great humility and duty to their sacred sovereign, without whose favour and protection they would not live: and, lastly, of their several most submiss addresses, by petition and all other ways, to his majesty; being desirous, when their grievances were but heard, to lay themselves and their complaints at his royal feet, and to be most entirely disposed by

1640 him in such manner as to his wisdom alone should be thought fit: but that, by the power and interposition of their adversaries, all their supplications had been rejected, and they never yet admitted to be heard.

125. With these and the like artifices our good lords were so wrought upon and transported that they easily consented to whatsoever was proposed; nor was there any proposition made and insisted on by them at the first or second treaty which was not for the matter fully consented to: whereas, if their lordships had been fully advertised of the whole truth, (though there had been some inadvertencies and incogitancy in the circumstances of the transaction,) his majesty had full power, by the laws of Scotland then in force, to make that reformation he intended; and all their petitions and addresses had found most gracious acceptance and received most gracious answers; and that on the contrary, they had invaded all the rights of the Crown, altered the government, affronted the magistrates and ministers of justice and his majesty's own regal authority with unheard of insolences and contempts, rejected all his offers of grace and pardon, and, without cause or provocation, denounced war against him, besieged and taken the castle of Edinburgh, and other places which held for his majesty; I say, if this had been made as evident to them as surely it might have been made, it is not possible but those noble persons would have preserved themselves from being deluded by them; at least many of the inconveniences which after ensued would have been prevented, if the form and method of their proceedings had been prescribed or better looked into.

126. But it must be confessed, that in that conjuncture such necessary evidence and information could very hardly be given: for, though it must not be doubted that there were many particular persons of honour of that nation who abhorred the outrages which were committed, and retained within their own breasts very loyal wishes for his majesty's prosperity, yet it cannot be denied that those persons who, by the places they held (of King's Advocate[1] and other offices), ought to have

[1] [Sir Thomas Hope, of Craighall.]

made that information of matter of law and matter of fact, 1640
were themselves the most active promoters of the rebellion; and the defection as to any declaration or activity on his majesty's behalf was so general that they who were not corrupted in their inward fidelity were so terrified, that they durst not appear in any office that might provoke those who solely had the power and the will to destroy them.

127. The last and most confounding error was the removing the treaty to London, and upon any terms consenting that the Scotch commissioners should reside there before a peace concluded. By which means they had not only opportunity to publish all their counsels and directions in their sermons to the people, who resorted thither in incredible numbers, and to give their advice from time to time to those of the English who knew not so well yet to compass their own ends, but were ready, when any business was too big and unwieldly to be managed by the few who were yet throughly engaged, to interpose in the name of their nation, and, with reference to things or persons, to make such demands from and on the behalf of the kingdom of Scotland as under no other style would have received any countenance: and this brought that universal terror with it (as will appear to the life in the process of this relation) upon those of nearest relation to the King's service, as well as those at a greater distance, who clearly discerned and detested the villainy and wickedness of those transactions, that their wariness and wisdom could not be great enough to preserve them, if they did not stupidly look on without seeming to understand what they could in no degree control or prevent.

128. In all conspiracies there must be great secresy, consent, and union; yet it can hardly be conceived with what entire confidence in each other the numerous proud and indigent nobility of Scotland (for of the common people, who are naturally slaves to the other, there can be no wonder) concurred in the carrying on this rebellion: their strange condescension and submission to their ignorant and insolent clergy, who were to have great authority because they were to

1640 inflame all sorts of men upon the obligations of conscience; and in order thereunto, and to revenge a little indiscretion and ill manners of some of the bishops, had liberty to erect a tribunal the most tyrannical over all sorts of men and in all the families of the kingdom: so that the preacher reprehended the husband, governed the wife, chastised the children, and insulted over the servants, in the houses of the greatest men. They referred the managery and conduct of the whole affair to a committee of a few who had never before exercised any office or authority in the public, with that perfect resignation and obedience that nobody presumed to inquire what was to be done, or to murmur at or censure any thing that was done; and the general himself and the martial affairs were subject to this regimen and discipline as well as the civil: yet they who were intrusted with this superiority paid all the outward respect and reverence to the person of the general as if the sole power and disposal had been in him alone.

129. The few English (for there were yet but very few) who were intrusted from the beginning of the enterprise and with all that was then projected, were men of reserved and dark natures, of great industry and address, and of much reputation for probity and integrity of life, and who trusted none but those who were contented to be trusted to that degree as they were willing to trust them, without being inquisitive into more than they were ready to communicate, and for the rest depended upon their discretion and judgment; and so prepared and disposed, by second and third hands, many to concur and contribute to many preparatory actions who would never have consented to those conclusions which naturally resulted from those premises.

130. This united strength, and humble and active temper, was not encountered by an equal providence and circumspection in the King's councils, or an equal temper and dutiful disposition in the Court; nor did they who resolved honestly and stoutly to discharge the offices of good servants and good subjects to the utmost opposition of all unlawful attempts communicate their purposes to men of the same integrity, that

so they might unite their counsels as well in the manner and 1640
way as their resolutions in the end; but every one thought it enough to preserve his own innocence, and to leave the rest to those who should have authority to direct. The King was perplexed and irresolute, and, according to his natural constitution, (which never disposed him to jealousy of any man of whom he had once thought well,) was full of hope that his condition was not so bad as it seemed to be. The Queen, how much troubled soever, wished much better to the earl of Holland than to the archbishop or the earl of Strafford, neither of them being in any degree acceptable to her, so that she was little concerned for the danger that threatened them: but when she saw the King's honour and dignity invaded in the prosecution, she withdrew her favour from the earl of Holland. But then she was persuaded, by those who had most credit with her, to believe that by the removal of the great ministers her power and authority would be increased, and that the prevailing party would be willing to depend upon her, and that, by gratifying the principal persons of them with such preferments as they affected, she would quickly reconcile all ill humours; and so she hearkened to any overtures of that kind, which were always carried on without the consent or privity of those who were concerned, who in truth more disliked her absolute power with the King than any other excess of the Court, and looked upon it as the greatest grievance. Every man there considered only what application would be most like to raise his own fortune, or to do him harm with whom he was angry, and gave himself wholly up to those artifices which might promote either. To preserve themselves from the displeasure and censure of the Parliament, and to render themselves gracious to those who were like to be powerful in it, was all men's business and solicitude. And in this very unequal and disproportioned condition and temper was the King's and the Scots' army, that of the Court and the country, when the Parliament met.

THE END OF THE SECOND BOOK.

BOOK III.

1640 Nov. 3. 1 [1]. The Parliament met upon the third of November, 1640, with a fuller appearance than could be reasonably expected

[1] [§§ 1–11 are from the *Life*, pp. 97–100. In the *Hist.*, p. 29, the book begins as follows :—

'At the opening of the Parliament, (which was on the third day of November, 1640,) the King very frankly delivered himself to the Lords and Commons, that he put his whole affairs into their hands, and was resolved to follow their advice both in order to an agreement with the Scots and in repairing the grievances at home which he confessed the necessities of the time had brought upon his people. All those, whether in Church or State, he was willing should be removed, and desired that all things might be reduced to the good order and practice of the days of Queen Elizabeth; which to the people of England were sure looked upon with the greatest reverence: and so left them, the House of Commons being in the first place to choose their Speaker. And in this first entrance there was an ill accident, though then by many not valued, by wise men considered as of great moment and an ill presage. As soon as his majesty had resolved upon the calling of a Parliament, he considered of a fit Speaker, (the election of whom in all times had been by the designation of the King,) and resolved upon sir Thomas Gardyner, then Recorder of London, a man very affectionate to his service and very fit to have moderated in such an assembly. This was no sooner known, (which according to custom was as soon published as resolved, that he might make his provisions accordingly,) than the leaders of that people expressed much trouble at it, presuming he would never be induced to comply with their purposes, and used their utmost endeavours to keep him from being returned a member of the House, without which it was not possible to be chosen Speaker. So in the election of the four members for the city of London they so carried it that he was rejected; which affront had been seldom offered to their Recorder. Then they so wrought upon the earl of Pembroke, whose interest in many places was so great that many burgesses were chosen by his recommendation, that, notwithstanding he was a person of near trust with that earl and promised a place by him, he was likewise there disappointed: so that the morning before the appearance of the Lords and Commons, (which was to be in the afternoon,) sir Thomas Gardyner being not returned a member, the King was put to a new consideration for a Speaker, and was in that sudden distress persuaded to design Mr. Lenthall, (a lawyer of good practice and no ill affections, but a very weak man and unequal to such a task,) who was accordingly chosen Speaker, and afterwards in the usual form presented to his majesty and by

from the short time for elections after the issuing out of the writs. Insomuch as at the first many members were absent, it 1640

him accepted. These ceremonies were no sooner over than the House of Commons (which meant to govern) fell briskly to their business, and spent the two first days in very sharply discussing the general state of the kingdom, mentioned the miscarriages in Church and State with great bitterness, and the third day, after a debate of seven or eight hours, resolved to accuse the earl of Strafford of high treason. Though the earl was as unloved a person in that House as can be imagined, yet there wanted not some who desired, for the dignity of the House, that a charge of so high a nature against a person not like to be easily oppressed should be very warily weighed and considered. On the other side, it was confidently undertaken that an impeachment should within few days be brought in by which his guilt would be very manifest; in the mean time the ground and necessity of their proceeding they declared to be these, that the earl had an intention, and endeavoured, to overthrow the fundamental government of the kingdom by the law and to introduce an arbitrary power, and to that purpose that he had an army ready in Ireland which should have been brought over into this kingdom, which some persons undertook upon their reputations to prove, though (they said) the particulars at that time were not fit for many reasons to be discovered. Then many exorbitant speeches and actions in England and Ireland said and done by him were remembered. But two particulars, one as a ground, the other as a reason, were especially given, for the speedy accusing him of high treason, which prevailed over many. [1] To those who were known to have no kindness for him, and seemed to doubt whether all the particulars alleged being proved would amount to high treason, it was alleged that the House of Commons were not judges but only accusers, and that the Lords were the proper judges whether such a complication of enormous crimes in one person did not amount to the highest offence the law took notice of; and therefore that it was fit to present it to them. In the next place, that it was most necessary immediately to accuse him of high treason, by which probably the Lords would think fit to remove him from the King's presence: whereas, if that were not, his interest and activity was such as he would be able to render all their good endeavours for the commonwealth fruitless. With these reasons, and the warmth of six or seven hours' debate, in which many instances were given of most extravagant power exercised by him, (which being so unlike any thing they had before heard of, men the more easily called treason,) it was concluded that an accusation of high treason should be immediately sent up against him; which was by Mr. Pimm (accompanied by very many of the House of Commons) carried up to the Lords' bar about four of the clock in the afternoon, that House sitting then by instinct, though the doors of the House of Commons had been shut and no member suffered to go out during the whole agitation. The accusation was no sooner delivered, and

[1] At this place in the MS. is a mark, 'x. 1,' answering to a similar mark in the MS. of the *Life*, directing the insertion of the following lines in that part of the text of the general narrative. See § 9.

1640 had a sad and a melancholic aspect upon the first entrance, which presaged some unusual and unnatural events. The King himself did not ride with his accustomed equipage nor in his usual majesty to Westminster, but went privately in his barge to the Parliament-stairs, and so to the church, as if it had been to a return of a prorogued or adjourned Parliament. And there was likewise an untoward, and in truth an unheard of, accident, which brake many of the King's measures, and infinitely disordered his service beyond a capacity of reparation. From the time the calling a Parliament was resolved upon, the King designed sir Thomas Gardiner, who was Recorder of London, to be Speaker in the House of Commons; a man of gravity and quickness, that had somewhat of authority and gracefulness in his person and presence, and in all respects equal to the service. There was little doubt but that he would be chosen to serve in one of the four places for the city of London, which had very rarely rejected their Recorder upon that occasion; and lest that should fail, diligence was used in one or two other places that he might be elected. The opposition was so great, and the faction so strong, to hinder his being elected in the city, that four others were chosen for that service, without hardly mentioning his name, nor was there less industry used to prevent his being chosen in other places; clerks were corrupted not to make out the writ for one place, and ways were found to hinder the writ from being executed in another time enough for the return before the meeting: so great a fear there was that a man of entire affections to the King, and of prudence enough to manage those affections, and to regulate the contrary, should be put into that chair. So that the very morning the Parliament was to meet, and when the King intended to go thither, he was informed that sir

the messengers retired to expect an answer, than the earl (who came in that article into the House) was commanded to withdraw, and presently brought to the bar upon his knees, and from thence committed to prison to the gentleman usher of the Black Rod, without so much as a pause whether a bare accusation of treason, without any particular charge, were ground enough to commit a member of their own body; which was not then thought fit to be doubted.'

Thomas Gardiner was not returned to serve as a member in 1640
the House of Commons, and so was not capable of being chosen to be Speaker; so that his majesty deferred his going to the House till the afternoon, by which time he was to think of another Speaker.

2. Upon the perusal of all the returns into the Crown Office, there were not found many lawyers of eminent name, (though many of them proved very eminent men afterwards,) or who had served long in former Parliaments, the experience whereof was to be wished; and men of that profession had been always thought the most proper for that service, and the pttuing it out of that channel at that time was thought too hazardous; so that, after all the deliberation that time would admit, Mr. Lenthall, (a bencher of Lincoln's Inn,) a lawyer of competent practice, and no ill reputation for his affection to the government both of Church and State, was pitched upon by the King, and with very great difficulty rather prevailed with than persuaded to accept the charge. And no doubt a worse could not have been deputed of all that profession who were then returned; for he was a man of a very narrow timorous nature, and of no experience or conversation in the affairs of the kingdom, beyond what the very drudgery in his profession (in which all his design was to make himself rich) engaged him in. In a word, he was in all respects very unequal to the work; and not knowing how to preserve his own dignity, or to restrain the license and exorbitance of others, his weakness contributed as much to the growing mischiefs as the malice of the principal contrivers. However, after the King had that afternoon commended the distracted condition of the kingdom, with too little majesty, to the wisdom of the two Houses of Parliament, to have such reformation and remedies applied as they should think fit, proposing to them as the best rule for their counsels that all things should be reduced to the practice of the time of Queen Elizabeth, the House of Commons no sooner returned to their house than they chose Mr. Lenthall to be their Speaker; and two days after, with the usual cere- Nov. 5.
monies and circumstances, presented him to the King, who

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1640 declared his acceptation; and so both Houses were ready for their work.

3. There was observed a marvellous elated countenance in most of the members of Parliament before they met together in the house; the same men who six months before were observed to be of very moderate tempers, and to wish that gentle remedies might be applied without opening the wound too wide and exposing it to the air, and rather to cure what was amiss than too strictly to make inquisition into the causes and original of the malady, talked now in another dialect both of things and persons. Mr. Hyde, who was returned to serve for a borough in Cornwall [1], met Mr. Pimm [Pym] in Westminster Hall some few days before the Parliament, and conferring together upon the state of affairs, the other told him, [Hyde,] and said, 'that they must now be of another temper than they were the last Parliament; that they must not only sweep the house clean below, but must pull down all the cobwebs which hung in the top and corners, that they might not breed dust and so make a foul house hereafter; that they had now an opportunity to make their country happy, by removing all grievances and pulling up the causes of them by the roots, if all men would do their duties;' and used much other sharp discourse to him to the same purpose: by which it was discerned that the warmest and boldest counsels and overtures would find a much better reception than those of a more temperate allay; which fell out accordingly. And the very first day they met together in which they could enter upon
Nov. 11. business, Mr. Pimm, in a long, formed discourse, lamented the miserable state and condition of the kingdom, aggravated all the particulars which had been done amiss in the government as done and contrived maliciously, and upon deliberation, to change the whole frame, and to deprive the nation of all the liberty and property which was their birthright by the laws of the land, which were now no more considered, but subjected to the arbitrary power of the Privy-Council, which governed the kingdom according to their will and pleasure; these calamities

[1] [Saltash.]

falling upon us in the reign of a pious and virtuous King, who 1640
loved his people and was a great lover of justice. And thereupon enlarging in some specious commendation of the nature and goodness of the King, that he might wound him with less suspicion, he said, 'We must inquire from what fountain these waters of bitterness flowed; what persons they were who had so far insinuated themselves into his royal affections as to be able to pervert his excellent judgment, to abuse his name, and wickedly apply his authority to countenance and support their own corrupt designs. Though he doubted there would be many found of this *classis*, who had contributed their joint endeavours to bring this misery upon the nation, yet he believed there was one more signal in that administration than the rest, being a man of great parts and contrivance, and of great industry to bring what he designed to pass; a man who in the memory of many present had sat in that house an earnest vindicator of the laws, and a most zealous asserter and champion for the liberties of the people; but that it was long since he turned apostate from those good affections, and, according to the custom and nature of apostates, was become the greatest enemy to the liberties of his country, and the greatest promoter of tyranny, that any age had produced;' and then named 'the earl of Strafford, Lord Lieutenant of Ireland, and Lord President of the Council established in York for the northern parts of the kingdom: who,' he said, 'had in both places, and in all other provinces wherein his service had been used by the King, raised ample monuments of his tyrannical nature: and that he believed, if they took a short survey of his actions and behaviour, they would find him the principal author and promoter of all those counsels which had exposed the kingdom to so much ruin;' and so instanced some high and imperious actions done by him in England and in Ireland, some proud and over-confident expressions in discourse, and some passionate advices he had given in the most secret councils and debates of the affairs of state; adding some lighter passages of his vanity and amours, that they who were not inflamed with anger and detestation against him for the former might have less

1640 esteem and reverence for his prudence and discretion: and so concluded, 'that they would well consider how to provide a remedy proportionable to the disease, and to prevent the farther mischiefs which they were to expect from the continuance of this great man's power and credit with the King and his influence upon his councils.'

4. From the time that the earl of Strafford was named most men believed that there would be some committee named to receive information of all his miscarriages, and that upon report thereof they would farther consider what course to take in the examination and prosecution thereof: but they had already prepared and digested their business to a riper period.

5. Mr. Pimm had no sooner finished his discourse, than sir John Clotworthy (a gentleman of Ireland, and utterly unknown in England, who was by the contrivance and recommendation of some powerful persons returned to serve for a borough in Devon [1], that so he might be enabled to act this part against the Lord Lieutenant) made a long and confused relation of his tyrannical carriage in that kingdom; of the army he had raised there to invade Scotland; how he had threatened the Parliament if they granted not such supplies as he required; of an oath he had framed to be administered to all the Scots' nation which inhabited that kingdom, and his severe proceeding against some persons of quality who refused to take that oath; and that he had with great pride and passion publicly declared at his leaving that kingdom, 'If ever he should return to that sword he would not leave a Scotchman to inhabit in Ireland:' with a multitude of very exalted expressions, and some very high actions, in his administration of that government, in which the lives as well as the fortunes of men had been disposed of out of the common road of justice: all which made him to be looked upon as a man very terrible, and under whose authority men would not choose to put themselves.

6. Several other persons appearing ready to continue the discourse, and the morning being spent, so that, according to

[1] [He was elected both for Bossiney in Cornwall and Maldon in Essex, and sat for the latter.]

the observation of parliament hours, the time of rising being come, an order was suddenly made that the door should be shut, and nobody suffered to go out of the house; which had been rarely practised: care having been first taken to give such advertisement to some of the Lords that that House might likewise be kept from rising; which would very much have broken their measures. 1640

7. Then sir John Hotham, and some other Yorkshire men who had received some disobligation from the earl in the country, continued the invective, mentioning many particulars of his imperious carriage, and that he had, in the face of the country, upon the execution of some illegal commission, declared, 'that they should find the little finger of the King's prerogative heavier upon them than the loins of the law;' which expression, though upon after-examination it was found to have a quite contrary sense, marvellously increased the passion and prejudice towards him.

8. In conclusion, after many hours of bitter inveighing, and ripping up the course of his life before his coming to Court and his actions after, it was moved, according to the secret resolution taken before, 'that he might be forthwith impeached of high treason;' which was no sooner mentioned than it found an universal approbation and consent from the whole: nor was there in the whole debate one person who offered to stop the torrent by any favourable testimony concerning the earl's carriage, save only that the lord Falkland, who was very well known to be far from having any kindness for him, when the proposition was made for the present accusing him of high treason, modestly desired the House to consider, 'Whether it would not suit better with the gravity of their proceedings first to digest many of those particulars which had been mentioned, by a committee?' declaring himself to be abundantly satisfied that there was enough to charge him before they sent up to accuse him: which was very ingenuously and frankly answered by Mr. Pymm, 'That such a delay might probably blast all their hopes, and put it out of their power to proceed farther than they had done already; that the earl's power and credit

1640 with the King, and with all those who had most credit with King or Queen, was so great, that when he should come to know that so much of his wickedness was discovered his own conscience would tell him what he was to expect, and therefore he would undoubtedly procure the Parliament to be dissolved rather than undergo the justice of it, or take some other desperate course to preserve himself, though with the hazard of the kingdom's ruin: whereas, if they presently sent up to impeach him of high treason before the House of Peers, in the name and on the behalf of all the Commons of England, who were represented by them, the Lords would be obliged in justice to commit him into safe custody, and so sequester him from resorting to Council or having access to his majesty: and then they should proceed against him in the usual form with all necessary expedition.'

9[1]. To those who were known to have no kindness for him, and seemed to doubt whether all the particulars alleged, being proved, would amount to high treason, it was alleged that the House of Commons were not judges but only accusers, and that the Lords were the proper judges whether such a complication of enormous crimes in one person did not amount to the highest offence the law took notice of, and therefore that it was fit to present it to them. These reasons of the haste they made, so clearly delivered, gave that universal satisfaction, that, without farther considering the injustice and unreasonableness of it, they voted unanimously, (for aught appeared to the contrary by any avowed contradiction,) 'That they would forthwith send up to the Lords and accuse the earl of Strafford of high treason and several other crimes and misdemeanours, and desire that he might be presently sequestered from Council, and committed to safe custody;' and Mr. Pimm was made choice of for the messenger to perform that office. And this being determined, the doors were opened, and most of the House accompanied him on the errand.

10. It was about three of the clock in the afternoon, when the earl of Strafford, (being infirm and not well disposed in his

[1] [The first sentence in this section is from the *History*.]

health, and so not having stirred out of his house that morning,) 1640
hearing that both Houses still sat, thought fit to go thither. It was believed by some (upon what ground was never clear enough) that he made that haste then to accuse the lord Say and some others of having induced the Scots to invade the kingdom: but he was scarce entered into the House of Peers when the message from the House of Commons was called in, and when Mr. Pymm at the bar, and in the name of all the Commons of England, impeached Thomas earl of Strafford (with the addition of all his other titles) of high treason and several other heinous crimes and misdemeanours, of which, he said, the Commons would in due time make proof in form; and in the mean time desired in their name, that he might be sequestered from all councils and be put into safe custody; and so withdrawing, the earl was, with more clamour than was suitable to the gravity of that supreme court, called upon to withdraw, hardly obtaining leave to be first heard in his place, which could not be denied him.

11. And he then lamented his great misfortune to lie under so heavy a charge; professed his innocence and integrity, which he made no doubt he should make appear to them; desired he might have his liberty until some guilt should be made appear; and desired them to consider what mischief they should bring upon themselves, if upon such a general charge, without the mention of any one crime, a peer of the realm should be committed to prison, and so deprived of his place in that House where he was summoned by the King's writ to assist in the council, and of what consequence such a precedent might be to their own privilege and birthright; and then withdrew. And with very little debate the Peers resolved that he should be committed to the custody of the gentleman usher of the Black Rod, there to remain until the House of Commons should bring in a particular charge against him: which determination of the House was pronounced to him at the bar upon his knees by the Lord Keeper of the Great Seal upon the woolsack: and so being taken away by Maxwell, gentleman usher, Mr. Pymm was called in and informed what the House had done; after which

Strafford was not allowed to speak. Baillie I 272

1640 (it being then about four of the clock) both Houses adjourned till the next day.

Commons weed out refractory members

12[1]. When this work was so prosperously over they began to consider that, notwithstanding all the industry that had been used to procure such members to be chosen, or returned though not chosen, who had been most refractory to the government of the Church and State, yet that the House was so constituted that when the first heat (which almost all men brought with them) should be a little allayed, violent counsels would not be long hearkened to: and therefore, as they took great care by their committee of elections to remove as many of those members as they suspected not to be inclinable to their passions upon pretence that they were not regularly chosen, that so they might bring in others more compliable in their places; (in which no rule of justice was so much as pretended to be observed by them, insomuch as it was often said by leading men amongst them, 'That they ought in those cases of elections to be guided by the fitness and worthiness of the person, whatever the desire of those was in whom the right of election remained;' and therefore one man hath been admitted upon the same rule by which another hath been rejected:) so they

Nov. 9 declared, that no person, how lawfully and regularly soever chosen and returned, should be and sit as a member with them who had been a party or a favourer of any project, or who had been employed in any illegal commission.

13. And by this means (contrary to the custom and rights of Parliament) many gentlemen of good quality were removed, in whose places commonly others were chosen of more agreeable dispositions: but in this likewise there was no rule observed; for no person was hereby removed of whom there was any hope that he might be applied to the violent courses which were intended. Upon which occasion the King charged them in one of his Declarations that when under that notion of projectors they expelled many, they yet never questioned sir H. Mildmay, or Mr. Laurence Whitaker, who had been most scandalously

[1] [The text, to the end of § 20, is here resumed from the MS. of the *History*, pp. 30–32.]

engaged in those pressures[1], though since more scandalously in all enterprises against his majesty; to which never any answer or reply was made. 1640

14. The next art was to make the severity and rigour of the House as formidable as was possible, and to make as many men apprehend themselves obnoxious to the House as had been in any trust or employment in the kingdom. Thus they passed many general votes concerning ship-money, in which all who had been high sheriffs, and so collected it, were highly concerned; the like sharp conclusions upon all lords lieutenants and their deputies, which were the prime gentlemen of quality in all the counties of England. Then upon some disquisition of the proceedings in the Star-Chamber and at the Council-table, all who concurred in such a sentence, and consented to such an order, were declared criminous and to be proceeded against. So that, in a moment, all the lords of the Council, all who had been deputy lieutenants or high sheriffs during the late years, found themselves within the mercy of these grand inquisitors: and hearing new terms of art, that a complication of several misdemeanours might grow up to treason, and the like, it was no wonder if men desired by all means to get their favour and protection. Dec. 14.

15[2]. When they had sufficiently startled men by these

[1] [In his *Declaration concerning the proceedings of this present Parliament*, Aug. 12, 1642, where Mildmay is said to be 'notoriously known to be the chief promoter of the business of the gold and silver thread,' and Whitaker to be 'as conversant and as much employed as a commissioner in matters of that nature as any man.']

[2] [The following relation of the proceedings noticed in this and the five next sections against Laud, Finch, and Windebank is given in the MS. of the *Life*, pp. 105–108.]

'It began now to be observed that all the public professions of a general reformation and redress of all the grievances the kingdom suffered under were contracted into a sharp and extraordinary prosecution of one person they had accused of high treason, and within some bitter mention of the archbishop; that there was no thought of dismissing the two armies, which were the capital grievance, and insupportable burden to the whole nation; and that instead of questioning others who were looked upon as the causes of greater mischief than either of those they professed so much displeasure against, they privately laboured by all their offices to remove all prejudice

Attack on Laud

1640 Dec. 18. proceedings, and upon half an hour's debate sent up an accusation against the lord archbishop of Canterbury of high treason, and so removed him likewise from the King's Council, they rested satisfied with their general rules, votes, and orders, without making haste to proceed either against things or persons;

towards, at least all thoughts of prosecution for, their transgressions; and so that they had blanched all sharp and odious mention of ship-money because it could hardly be touched without some reflection upon the lord Finch, who had acted so odious a part in it, and who, since the meeting in the Great Council at York, had rendered himself very gracious to them, as a man who would facilitate many things to them, and therefore fit to be Dec. 7. preserved and protected. Whereupon the lord Falkland took notice of the business of ship-money, and very sharply mentioned the lord Finch as the principal promoter of it, and that, being then a sworn judge of the law, he had not only given his own judgment against law, but been the solicitor to corrupt all the other judges to concur with him in their opinion; and concluded, that no man ought to be more severely prosecuted than he. It was very visible that the leading men were much troubled at this discourse, and desired to divert it; some of them proposing, in regard we had very much great business upon our hands and in necessary preparation, we should not embrace too much together, but suspend the debate of ship-money for some time till we could be more vacant to pursue it; and so were ready to pass to some other matter. Upon which Mr. Hyde insisted, upon what the lord Falkland had said, there was a particular of a very extraordinary nature which ought to be examined without delay, because the delay would probably make the future examination to no purpose; and therefore proposed that immediately, whilst the House was sitting, a small committee might be appointed, who, dividing themselves into the number of two and two, might visit all the judges, and ask them apart, in the name of the House, what messages the lord Finch when he was Chief Justice of the court of Common Pleas had brought to them from the King in the business of ship-money, and whether he had not solicited them to give judgment for the King in that case. Which motion was so generally approved by the House, that a committee of eight, whereof himself was one, was presently sent out of the House to visit the several judges, most whereof were at their chambers. And justice Crooke and some other of the judges, being surprised with the questions and pressed earnestly to make clear and categorical answers, ingeniously acknowledged that the Lord Chief Justice Finch had frequently, whilst that matter was depending, earnestly solicited them to give their judgments for the King, and often used his majesty's name to them as if he expected that compliance from them. The committee, which had divided themselves to attend the several judges, agreed to meet at a place appointed, to communicate the substance of what they had been informed, and agree upon the method of their report to the House, which they could not make till the next morning, it being about ten of the clock when they were sent out of the House.

being willing rather to keep men in suspense and to have the advantage of their fears, than, by letting them see the worst that could befall them, lose the benefit of their application. For this reason they used their utmost skill to keep off any debate of ship-money, that that whole business might hang like 1640

That committee was no sooner withdrawn[1], (which consisted of all men of more temperate spirits than the principal leaders were possessed with,) but, without any occasion given by any debate or coherence with any thing proposed or mentioned, an obscure person inveighed bitterly against the archbishop of Canterbury; and there having been a very angry vote passed the House two days before, upon a sudden debate of the Canons which had been made by the Convocation after the dissolution of the last Parliament, (a season in which the Church could not reasonably hope to do any thing that would find acceptation,) upon which debate they had declared by a vote that those Canons were against the King's prerogative, the fundamental laws of the realm, the liberty and property of the subject, and that they contained divers other things tending to sedition and of dangerous consequence, Mr. Grimston took occasion from what was said of the archbishop to put them in mind of their vote upon the Canons, and said that the presumption in sitting after the dissolution of the Parliament, contrary to custom if not contrary to law, and the framing and contriving all those Canons, which contained so much sedition, was all to be imputed to the archbishop; that the Scots had required justice against him for his being a chief incendiary and cause of the war between the two nations; that this kingdom looked upon him as the author of all those innovations in the Church which were introductive to Popery, and as a joint contriver with the earl of Strafford to involve the nation in slavery: and therefore proposed that he might be presently accused of high treason, to the end that he might be sequestered from Council and no more repair to the presence of the King, with whom he had so great credit that the earl of Strafford himself could not do more mischief by his counsels or infusions. This motion was no sooner made but seconded and thirded, and found such a general acceptation that, without considering that of all the envious particulars whereof he stood reproached there was no one action which amounted to treason, they forthwith voted that it should be so, and immediately promoted Mr. Grimston to the message; who[2] presently went up to the House of Peers, and, being called in, in the name of all the Commons of England accused the archbishop of Canterbury of high treason and other misdemeanours, and concluded in the same style they had used in the case of the Lord Lieutenant of Ireland. Upon which the poor archbishop (who stoutly Dec. 16. Dec. 18.

[1] [The *Journals* of the House and Rushworth's narrative show that Clarendon is mistaken as to the order of time here. The committee to visit the judges was appointed on Dec. 7; the vote on the Canons did not take place 'two days before,' but the debate (first proposed on Nov. 26) was commenced two days after, Dec. 9, continued on Dec. 14 and 15, and the vote of condemnation was passed on the 16th, two days before the motion for Laud's impeachment.]

[2] [Denzil Hollis, not Grimstone.]

1640 a meteor over the heads of those that were in any degree faulty in it; and it was observable, when, notwithstanding all Dec. 7. their diversions, that business was brought into debate, and upon that (which could not be avoided) the lord Finch named as an avowed factor and procurer of that odious judgment, (who, if their rule were true that an endeavour to alter the govern-

professed his innocence) was brought to the bar upon his knees, and thence committed to the custody of Maxwell, the gentleman usher of the Black Rod, (from whence the earl of Strafford had been sent few days before to the Tower,) where he remained many months before they brought in a particular charge against him.

Notwithstanding which brisk proceeding against the archbishop, when the committee of the next morning made their report of what the several judges had said concerning the lord Finch, they were wonderfully indisposed to hear any thing against him: and though many spake with great sharpness of him, and how fit it was to prosecute him in the same method and by the same logic they had proceeded with the other two, yet they required more particulars to be formally set down of his miscarriage, and Dec. 8. made another committee to take further examinations, in which committee Dec. 19, Mr. Hyde likewise was. And when the report was made within few days Saturday. of several very high and imperious miscarriages, besides what related to ship-money, upon a motion made by a young gentleman of the same family, who pretended to have received a letter from the Lord Keeper in which he desired to have leave to speak in the House before they would determine any thing against him, the debate was suspended for the present, and liberty Dec. 21, given him to be there if he pleased the next day. At which time, having Monday. likewise obtained the permission of the Peers to do what he thought good for himself, he appeared at the bar; said all he could for his own excuse, more in magnifying the sincerity of his religion and how kind he had been to many preachers, whom he named and who he knew were of precious memory with the unconformitable party; and concluded with a lamentable supplication for their mercy. It was about nine of the clock in the morning when he went out of the House; and when the debate could no longer be deferred what was to be done upon him, and when the sense of the House appeared very evidently, notwithstanding all that was said to the contrary by those eminent persons who promoted all other accusations with the utmost fury, that he should be accused of high treason in the same form the other two had been, they persisted still so long in the debate, and delayed the putting the question by frequent interruptions (a common artifice) till it was twelve of the clock, and till they knew that the House of Peers was risen, (which they were likewise easily disposed to, to gratify the Keeper;) and then the question was put, and carried in the affirmative with very few negatives; and the lord Falkland appointed to carry up the accusation to the House of Peers, which they knew he could not do till the next morning: and when he did it the next morning, it appeared that the lord Finch had sent the Great Seal the night

ment by law and to introduce an arbitrary power were treason, 1640
was the most notoriously and unexcusably guilty of that crime of any man that could be named) before they would endure the mention of an accusation of high treason, they appointed a committee, with great deliberation and solemnity, to bring in a charge formally prepared, which had not been done in the case

before, and wise[ly] withdrawn himself, and was soon after known to be in Holland.

There was another accident about the same time, very memorable, and fit to be inserted in this place. The raising as much jealousy as was possible against the Papists, and making them as odious and as formidable, was a principal part of the design, and was to serve for several purposes, and so was a part of every day's exercise. The voluntary collection and contribution made by them, upon the Queen's recommendation, upon the King's first expedition against the Scots, was urged with all the bold reflections which could be made upon that argument; the public resort to Somerset House to hear mass; the late perversion of some persons of honour to the Romish religion; the reception of Con, and after him of Rosetti, (who was then about the Court, or newly gone,) under a formal commission from the Pope to the Queen; and the liberty given to all Jesuits and priests to resort into the kingdom and to exercise their functions here; was a part of every set discourse that was made. And as much of this was intentionally to reflect upon secretary Winnibank, (who lay under the reproach of favouring and protecting the Roman Catholics, and for that and many other reasons was very unpopular,) so an unlucky occasion brought him quickly upon the stage, which administered somewhat of mirth. There was one Stockdale, a messenger of the chamber, whose office is to wait upon the Secretaries of State and to be sent and employed by them, who was notorious for his zeal against the Romish priests, and for a great dexterity in the discovery and apprehension of them. This man had come to the Secretary for his warrant to carry one [*blank*] to some prison, who he said was a priest who did pervert very many, and of a very turbulent nature and did much mischief; that he knew where he lay and to what place he most resorted, and so with great pains and diligence apprehended him, and would carry him to the gaol as soon as he had his honour's warrant; the man presuming that he should have been very welcome to the Secretary for the discovery. But he quickly found the contrary; for the Secretary in much passion called him 'bloodsucker,' and told him he was a fellow taken notice of to be of great cruelty, and to lie in wait for the blood of honest men who lived quietly and gave no offence, and forbade him to trouble him more in such occasions: upon which the terrified messenger was well content his prisoner should go whither he would. Some months after the priest was arrested and taken in execution for a greater debt than he was able or his friends willing to pay for him, and so put into prison, there being no suspicion that he was a priest. But his friends apprehended that discovery

1640 of the lord archbishop or the earl of Strafford and then gave
Dec. 21. him a day to be heard for himself at the House of Commons' bar, and so, against all order, to take notice of what was handled in the House concerning him; and then, finding that by their own rules he would be likewise accused of high treason, they continued the debate so long that the Lords' house was

would be quickly made, and that he would be then prosecuted with the utmost severity, he being a very active man and obnoxious above others; and so resorted to the Secretary, to lament the poor man's condition and to bespeak his favour if the worst should happen. The Secretary sent for Stockdale, and asked him what was become of such a priest who was his prisoner: he answered him, that his honour had been so angry with him for the apprehension of him that he durst no longer detain him, and so had suffered him to dispose of himself. The Secretary replied, that answer would not serve his turn; that he had not been angry with him for his apprehension, but he remembered that he had spoken with him about it at a time that he was very busy upon some despatch the King had enjoined him, and so was unwilling to be interrupted, and might possibly from thence speak angrily to him; that he had received new information that that priest was a dangerous man, and therefore that he should be very solicitous to find him and take him into his custody; which if he should fail to do, he would commit him to gaol for suffering him to escape; for, having been his prisoner, he was to answer for him, and he knew what a priest was by the law, and consequently what would become of him for discharging him. The poor messenger, thus terrified, said he would use all the means he could to find him out; and within a short time had intelligence (as there never want false brothers to make those discoveries) that the man was in such a prison; where he found him, and seized upon him as his prisoner. And the keeper of the prison, when he knew he was a priest and sent for by a Secretary of State, suffered him to take him away; who went with great joy to the Secretary with his prisoner, who commended his diligence, and told him he would take care to lay the man fast enough from running away: and the messenger being so discharged, the prisoner was likewise left to look better to himself. It was not long before the creditor at whose suit the priest had been taken in execution missed his debtor, and thereupon brought his action against the gaoler for an escape; and he for his own indemnity sued the messenger for rescuing his prisoner; and the messenger complained by petition to the House of Commons, and set out the whole proceedings. The petition was very acceptable, and read with great delight; and the Secretary himself, being then in the House and hearing it read, gave so ill an account of himself, (as he was a bashful speaker,) that he was called upon to withdraw, and so, according to custom, retired into the committee-chamber. And the House was scarce entered upon the consideration how they should proceed against him, when a message came from the House of Peers for a present conference, which being consented to, the House was adjourned: and the conference taking

risen, so that the accusation was not carried up till the next morning. And before that time the Lord Keeper (being well informed of all that had passed) had withdrawn himself, and shortly after went into Holland; the lord Littleton, then Chief Justice of the court of Common Pleas, being made Keeper of the Great Seal of England in his place. 1640 Dec. 22.

16. About the same time, sir Francis Wynnibanke, [Windebank,] one of the principal Secretaries of State, and then a member of the House of Commons, was accused of many transactions on the behalf of the Papists of several natures, (whose extraordinary patron indeed he was,) and, he being then present in the House, several warrants under his own hand were produced for the discharge of prosecutions against priests and for the release of priests out of prison; whereupon, whilst the Nov. 12.

up some time, the House being resumed, the managers desired time till the morning to make their report: and thereupon the House resolved to rise, and adjourned accordingly, friends and enemies being well contented to suspend for the present any further proceeding against the Secretary, who took the opportunity as soon as the House was up to go to his own house. And—knowing well that the House meant not to give him over, and that the committee who had made inquiry into his actions were furnished with many grievous particulars which he knew not how to answer, and, amongst the rest, that they had in their hands (which the keeper of Newgate had delivered to them,) some warrants under his hand for the discharge and release of one or more priests after they were attainted and after judgment had been given against them, which must have been very penal to him, it being neither of his office nor in his power to grant such warrants, nor in the gaoler's to have obeyed them, which he had done, and so the men escaped—so[1] he lost no time in withdrawing himself: so that when the House sent for him he was not [to] be found, and within few days it was known that he was landed at Calice. And so, within less than two months from the first day of their sitting, the Parliament had accused and imprisoned the two greatest ministers of state, the archbishop of Canterbury and the Lord Lieutenant of Ireland, under a charge of high treason, forced the Lord Keeper of the Great Seal and the principal Secretary of State, to avoid the penalty of the like charge, to leave their offices and the kingdom and to fly into foreign parts, terrified all the Privy Council and very many of the nobility and of the most considerable gentlemen of the kingdom with their votes upon commitments and decrees of the Star-Chamber and upon lord lieutenants and deputies lieutenants; and frightened the bishops and all the cathedral clergy with their arraignment of the Canons. So that it was no wonder that nobody appeared with courage enough to provoke them by any contradiction.

[1] ['and so,' MS.]

1640 matter should be debated, according to custom he was ordered to withdraw, and so went into the usual place, the committee-chamber; immediately whereupon, the House of Commons went to a conference with the Lords upon some other occasion, and returning from that conference, no more resumed the debate of the Secretary, but, having considered some other business, rose at their usual hour. And so the Secretary had liberty to go to his own house, from whence, observing the disposition of the House, and well knowing what they were able to say against him, he had no more mind to trust himself in that company, but the same night[1] withdrew himself from any place where inquiry might be made for him, and
Dec. 6. was no more heard of till the news came of his being landed in France.

17. So that within less than six weeks, for no more time was yet elapsed, these terrible reformers had caused the two greatest counsellors of the kingdom, and whom they most feared and so hated, to be removed from the King and imprisoned under an accusation of high treason, and frighted away the Lord Keeper of the Great Seal of England and one of the principal Secretaries of State into foreign kingdoms, for fear of the like; besides the preparing all the lords of the Council, and very many of the principal gentlemen throughout England, who (as was said before) had been high shrieves and deputy lieutenants, to expect such measure of punishment from their general votes and resolutions as their future demeanour should draw upon them for their past offences; by which means, they were like to find no very vigorous resistance or opposition in their farther designs.

18. I could never yet learn the reason, why they suffered Secretary Winnibanke to escape their justice, (for the lord Finch, it was visible he was in their favour, and they would

[1] [An answer was returned in his name on Dec. 1 to a summons to attend the House of Commons, that 'upon his majesty's occasions he sat up all last night, and was newly gone to bed.' Rushworth, iii. 74. Probably he was then in concealment. On Dec. 5 he sailed from Deal, and landed at Calais on the following day. *Calendar of State Papers*, 1640–1, 1882, pp. 299–300.]

gladly have preserved him in the place,) against whom they had more pregnant testimony of offences within the verge of the law than against any person they have accused since this Parliament, and of some that, it may be, might have proved capital, and so their appetite of blood might have been satisfied. For, besides his frequent letters of intercession in his own name and signification of his majesty's pleasure on the behalf of Papists and priests to the judges and to other ministers of justice, and protections granted by himself to priests that nobody should molest them, he harboured some priests in his own house, knowing them to be such, which by the statute made in the twenty-ninth year of Queen Elizabeth is made felony; and there were some warrants under his own hand for the release of priests out of Newgate who were actually attainted of treason and condemned to be hanged, drawn, and quartered; which by the strict letter of the statute, the lawyers said, would have been very penal to him. 1640 1585 27 Eliz.

19. I remember one story brought into the House concerning him, that administered some mirth. A messenger, (I think his name was Newton[1],) who principally intended the service of apprehending priests, came one day to him in his garden, and told him that he had brought with him a priest, a stirring and active person, whom he had apprehended that morning, and desired to know to what prison he should carry him. The Secretary sharply asked him whether he would never give over this bloodthirsty humour? and in great anger calling him 'knave,' and taking the warrant from him by which he had apprehended him, departed without giving any other direction. The messenger, appalled, thought the priest was some person in favour, and therefore took no more care of him, but suffered him to depart. The priest, freed from this fright, went securely to his lodging, and within two or three days was arrested for debt and carried in execution to prison. Shortly after, Secretary Winnibanke sent for the messenger, and asked him what

[1] [This name is substituted by Clarendon for that of *Stockdale*, which was originally written, and which is the name given in the parallel account in the note on p. 233.]

1640 was become of the priest he had at such a time brought before him? He told him, that he conceived his honour had been offended with the apprehension of him, and therefore he had looked no farther after him. The Secretary in much passion told him the discharging a priest was no light matter; and that if he speedily found him not, he should answer the default with his life; that the priest was a dangerous fellow, and must not escape in that fashion. The messenger, besides his natural inclination to that exercise, terrified with those threats, left no means untried for the discovery, and at least heard where the man was in execution in prison: thither he went, and demanded the priest (who was not there known to be such) as his prisoner formerly and escaped from him, and by virtue of his first warrant took him again into his custody, and immediately carried him to the Secretary; and within few days after the priest was discharged and at liberty. The jailor, in whose custody he had been put for debt, was arrested by the parties grieved, and he again sued the messenger, who appealed for justice to the House of Commons against the Secretary.

20. And this case had been presented to the committee and was ready to be reported, with all those warrants under his own hand before mentioned, at the time when Secretary Winnibanke was in the House. Besides that, he was charged by the Lords, by message or at a conference, for the breach of privilege at the dissolution of the last Parliament, and signing
May. 6. warrants for the searching the studies and papers of some members; for which, according to the doctrine then received, he might have been put into the custody of the sergeant of the House. But as the last occasion was not laid hold of, because it would have inevitably involved his brother Secretary sir H. Vane, who was under the same charge and against whom indeed that charge was aimed, so it seems they were contented he should make an escape from any trial for the rest, either because they thought his place would be sooner void by his flight than by his trial, (which would have taken up some time and required some formality,) and they had designed that place to Mr. Hollis, or that they thought he would upon any

examination draw in somewhat to the prejudice of sir H. Vane, whom they were to protect: and so they were well content with his escape. So the House deferred the farther debate till the next morning, before which time he chose to retire and transported himself into France. 1640

21 [1]. Having made their first entrance upon business with this vigour, they proceeded every day with the same fervour, and he who expressed most warmth against the Court and the government was heard with the more favour; every day producing many formed elaborated orations against all the acts of state which had been done for many years preceding. That they might hasten the prosecution of the earl of Strafford, which was their first great design, they made a close committee of such members as they knew to be most for their purpose, who should, under an obligation of secrecy, prepare the heads of a charge against him, which had been never heard of before in Parliament. And that they might be sure to do their business effectually, they sent a message to the House of Peers, to desire them to nominate a select committee likewise of a few, to examine upon oath such witnesses as the committee of the House of Commons for preparing the charge against the earl of Strafford should produce before them, and in their presence, and upon such interrogatories as they should offer; which (though it was without precedent or example) the Lords presently consented to, and named such men as knew well what they had to do [2]. Then they caused petitions to be every day presented by some who had been grieved by any severe sentences in the Star-Chamber, or committed by the lords of the Council, against lords lieutenants of counties and their deputy lieutenants for having levied money upon the country for conducting and clothing of soldiers and other actions of a martial nature, (which had been always done by those officers so qualified from the time of Queen Elizabeth, and was practised throughout her reign,) and against shrieves for having levied ship-money. Upon all which petitions, the matter Nov. 11.

[1] [§§ 21–41 are from the MS. of the *Life*, pp. 100–104, 109–110.]

[2] [See § 44.]

1640 being pressed and aggravated still upon every particular by some member of note and authority[1], all the acts, how formal and judicial soever, and without so much as hearing the sentences or judgments read, were voted to be illegal, and against the liberty and property of the subject; and that all who were guilty of such proceedings should be proceeded against for their presumption, and should likewise pay damages to the persons injured.

22. By which general votes (all passed within three or four days after the sitting of the Parliament) they had made themselves so terrible, that all Privy Councillors, as well for what they had done at the Board as in the Star-Chamber, (where indeed many notable sentences had passed with some excess in the punishment), all lords lieutenants, who for the most part were likewise Councillors (whereof all were of the House of Peers), and then all who were deputy lieutenants or had been shrieves since the first issuing out of writs for the collection of ship-money (whereof very many were then of the House of Commons), found themselves involved under some of those votes, and liable to be proceeded against upon the first provocation; whereby they were kept in such awe both in the one House and the other, as if they were upon their good behaviour, that they durst not appear to dislike, much less to oppose, whatsoever they proposed. All persons imprisoned for sedition by the Star-Chamber, upon the most solemn examination and the most grave deliberation, were set at liberty, that they might prosecute their appeals in Parliament.

23. In the mean time, though there were two armies in the bowels of the kingdom, at the monthly expense of no less than one hundred and fifty thousand pounds, care was only taken to provide money to pay them, without the least mention that the one should return into Scotland and the other be disbanded, that so that vast expense might be determined: but, on the contrary, frequent insinuations were given that many great things were first to be done before the armies could disband; only they desired the King that all Papists might be

[1] [The words 'upon which' are repeated here by mistake in the MS.]

forthwith cashiered out of his army, which his majesty could not deny; and so some officers of good account were immediately dismissed. 1640 Nov. 30.

24. It will not be impertinent nor unnatural to this present discourse, to set down in this place the present temper and constitution of both Houses of Parliament[1], that it may be the less wondered at that so prodigious an alteration should be made in so short a time, and the Crown fallen so low that it could neither support itself and its own majesty nor them who would appear faithful to it.

25. Of the House of Peers, the great contrivers and designers were:—The earl of Bedford, a wise man, and of too great and plentiful a fortune to wish a subversion of the government; and it quickly appeared, that he only intended to make himself and his friends great at Court, not at all to lessen the Court itself:—

26. The lord viscount Say, a man of a close and reserved nature, of a mean and a narrow fortune, of great parts and of the highest ambition, but whose ambition would not be satisfied with offices and preferment without some condescensions and alterations in ecclesiastical matters. He had for many years been the oracle of those who were called Puritans in the worst sense, and steered all their counsels and designs. He was a notorious enemy to the Church and to most of the eminent churchmen, with some of whom he had particular contests. He had always opposed and contradicted all acts of state and all taxes and impositions which were not exactly legal, and so had as eminently and as obstinately refused the payment of ship-money as Mr. Hambden had done; though the latter by the choice of the King's Council had brought his cause to be first heard and argued, with which judgment, that was intended to conclude the whole right in that matter and to overrule all other cases, the lord Say would not acquiesce, but pressed to have his own case argued, and was so solicitous in

[1] [The words 'and of the Court itself' follow here in the MS., but are underlined as if to be struck out, there being no corresponding passage in the subsequent digression.]

1640 person with all the judges, both privately at their chambers and publicly in the courts at Westminster, that he was very grievous to them. His commitment at York the year before, because he refused to take an oath, or rather subscribe a protestation, against holding intelligence with the Scots when the King first marched against them, had given him much credit. In a word, he had very great authority with all the discontented party throughout the kingdom, and a good reputation with many who were not, who believed him to be a wise man, and of a very useful temper in an age of license, and one who would still adhere to the law:—

27. The lord Mandevill, eldest son to the Lord Privy Seal, was a person of great civility and very well bred, and had been early in the Court under the favour of the duke of Buckingham, a lady of whose family he had married[1]: he had attended upon the Prince when he was in Spain, and had been called to the House of Peers in the lifetime of his father[2], which was a very extraordinary favour. Upon the death of the duke of Buckingham, his wife being likewise dead, he married the daughter of the earl of Warwick; a man in no grace at Court, and looked upon as the greatest patron of the Puritans because of much the greatest estate of all who favoured them, and so was esteemed by them with great application and veneration, though he was of a life very licentious and unconformable to their professed rigour, which they rather dispensed with than to withdraw from a house where they received so eminent a protection and such notable bounty. From this latter marriage the lord Mandevill totally estranged himself from the Court, and upon all occasions appeared enough to dislike what was done there, and engaged himself wholly in the conversation of those who were most notoriously of that party, whereof there was a kind of fraternity of many persons of good condition, who chose to live together in one family at a gentleman's house of a fair fortune, near the place where the lord

[1] [Susanna, daughter of John Hill, of Honiley, Warwickshire, and Dorothy Beaumont, sister to Buckingham's mother.]

[2] [As baron Montagu of Kimbolton, May 22, 1626.]

Mandevill lived; whither others of that *classis* likewise re- 1640
sorted, and maintained a joint and mutual correspondence and conversation together with much familiarity and friendship: that lord, to support and the better to improve that popularity, living at a much higher rate than the narrow exhibition allowed to him by his wary father could justify, making up the rest by contracting a great debt, which long lay heavy upon him; by which generous way of living, and by his natural civility, good manners, and good nature, which flowed towards all men, he was universally acceptable and beloved; and no man more in the confidence of the discontented and factious party than he, and [none] to whom the whole mass of their designs, as well what remained in chaos as what was formed, was more entirely communicated and consulted with. And therefore these three lords are nominated as the principal agents in the House of Peers, (though there were many there of quality and interest much superior to either of them,) because they were principally and absolutely trusted by those who were to manage all in the House of Commons, and to raise that spirit which was upon all occasions to inflame the Lords, [it [1]] being enough known and understood that, how indisposed and angry soever many of them at present appeared to be, there would still be a major part there who would, if they were not overreached, adhere to the King and the established government. And therefore these three persons were trusted without reserve, and relied upon so to steer as might increase their party by all the arts imaginable; and they had dexterity enough to appear to depend upon those lords who were looked upon as greater and as popular men, and to be subservient to their purposes, whom in truth they governed and disposed of.

28. And by these artifices, and application to his vanity, and magnifying the general reputation and credit he had with the people, and sharpening the sense he had of his late ill treatment at Court, they fully prevailed [upon] and possessed themselves of the earl of Essex; who, though he was no good speaker in public, yet having sat long in Parliament, and so acquainted

[1] ['yet,' MS.]

1640 with the order of it in very active times, was[1] a better speaker there than any where else, and, being always heard with attention and respect, had much authority in the debates. Nor did he need any incitement (which made all approaches to him the more easy) to do any thing against the persons of the lord archbishop of Canterbury and the lord lieutenant of Ireland, towards whom he professed a full dislike; who were the only persons against whom there was any declared design, and the Scots having in their manifesto demanded justice against those two great men as the cause of the war between the nations. And in this prosecution there was too great a concurrence: Warwick, Brook, Wharton, Paget, Howard, and some others, implicitly followed and observed the dictates of the lords mentioned before, and started or seconded what they were directed.

29. In the House of Commons were many persons of wisdom and gravity, who, being possessed of great and plentiful fortunes, though they were undevoted enough to the Court, had all imaginable duty for the King, and affection to the government established by law or ancient custom; and, without doubt, the major part of that body consisted of men who had no mind to break the peace of the kingdom, or to make any considerable alteration in the government of Church or State: and therefore all inventions were set on foot from the beginning to work upon them and corrupt them by suggestions of the dangers which threatened all that was precious to the subject in their liberty and their property, by overthrowing or overmastering the law and subjecting it to an arbitrary power, and by countenancing Popery to the subversion of the Protestant religion; and then by infusing terrible apprehensions into some, and so working upon their fears, of being called in question for somewhat they had done, by which they would stand in need of their protection, and raising the hopes of others that by concurring with them they should be sure to obtain offices and honours and any kind of preferment. Though there were too many corrupted and misled by these several temptations, and others who needed no other temptations than

[1] ['he was,' MS.]

from the fierceness and barbarity of their own natures and the malice they had contracted against the Church and against the Court, yet the number was not great of those in whom the government of the rest was vested, nor were there many who had the absolute authority to lead, though there were a multitude that was disposed to follow. 1640

30. Mr. Pimm was looked upon as the man of greatest experience in Parliaments, where he had served very long, and was always a man of business, being an officer in the Exchequer, and of a good reputation generally, though known to be inclined to the Puritan party; yet not of those furious resolutions against the Church as the other leading men were, and wholly devoted to the earl of Bedford, who had nothing of that spirit.

31. Mr. Hambden was a man of much greater cunning, and it may be of the most discerning spirit and of the greatest address and insinuation to bring any thing to pass which he desired of any man of that time, and who laid the design deepest. He was a gentleman of good extraction and a fair fortune, who from a life of great pleasure and license had on a sudden retired to extraordinary sobriety and strictness, and yet retained his usual cheerfulness and affability; which, together with the opinion of his wisdom and justice and the courage he had shewed in opposing the ship-money, raised his reputation to a very great height, not only in Buckinghamshire where he lived but generally throughout the kingdom. He was not a man of many words, and rarely began the discourse, or made the first entrance upon any business that was assumed; but a very weighty speaker, and, after he had heard a full debate and observed how the House was like to be inclined, took up the argument, and shortly and clearly and craftily so stated it that he commonly conducted it to the conclusion he desired; and if he found he could not do that, he never was without the dexterity to divert the debate to another time, and to prevent the determining any thing in the negative which might prove inconvenient in the future. He made so great a show of civility and modesty and humility, and always of mistrusting his own judgment and of esteeming his

1640 with whom he conferred for the present, that he seemed to have no opinions or resolutions but such as he contracted from the information and instruction he received upon the discourses of others, whom he had a wonderful art of governing and leading into his principles and inclinations whilst they believed that he wholly depended upon their counsel and advice. No man had ever a greater power over himself or was less the man that he seemed to be, which shortly after appeared to every body when he cared less to keep on the mask.

32. Mr. St. John, who was in a firm and entire conjunction with the other two, was a lawyer of Lincoln's Inn, known to be of parts and industry, but untaken notice of for practice in Westminster Hall till he argued at the Exchequer-chamber the case of ship-money on the behalf of Mr. Hambden, which gave him much reputation, and called him into all courts and to all causes where the King's prerogative was most contested. He was a man reserved, and of a dark and clouded countenance, very proud, and conversing with very few, and those, men of his own humour and inclinations. He had been questioned, committed, and brought into the Star-chamber many years before, with other persons of great name and reputation[1], (which first brought his name upon the stage,) for communicating some paper among themselves which some men had a mind at that time to have extended to a design of sedition: but, it being quickly evident that the prosecution would not be attended with success, they were all shortly after discharged; but he never forgave the Court the first assault, and contracted an implacable displeasure against the Church purely from the company he kept. He was of intimate trust with the earl of Bedford, to whom he was allied, (being a natural son[2] of the house of Bullingbrook,) and by him brought into all

[1] [Viz. with the earls of Bedford and Clare, Sir Rob. Cotton and John Selden, in 1629–30, for circulating Sir Rob. Dudley's paper entitled 'A proposition to bridle the impertinency of Parliaments.']

[2] [Substituted for 'cadet' in the MS., which apparently was more correct. For he is said to have been the son of Oliver St. John of Keysoe, Bedfordshire, by his wife Sarah Buckley. Foss's *Judges of Engl.* vi. 475–6.]

matters where himself was to be concerned. It was generally 1640
believed that these three persons, with the other three lords mentioned before, were of the most intimate and entire trust with each other, and made the engine which moved all the rest; yet it was visible, that Nathaniel Fynes, the second son of the lord Say, and sir Harry Vane, eldest son to the Secretary and Treasurer of the House, were received by them with full confidence and without reserve.

33. The former, being a man of good parts of learning, after[1] some years spent in New college in Oxford, of which his father had been formerly fellow, (that family pretending and enjoying many privileges there, as of kin to the founder,) had spent his time abroad, in Geneva and amongst the cantons of Swisserland, where he improved his disinclination to the Church with which milk he had been nursed. From his travels he returned through Scotland (which few travellers took in their way home) at the time when that rebellion was in the bud, and was very little known, except amongst that people which conversed wholly amongst themselves, until he was now found in Parliament, when it was quickly discovered, that as he was the darling of his father so[2] he was like to make good whatsoever he had for many years promised.

34. The other, sir H. Vane, was a man of great natural parts and of very profound dissimulation, of a quick conception and very ready, sharp, and weighty expression. He had an unusual aspect, which, though it might naturally proceed both from his father and mother, neither of which were beautiful persons, yet made men think there was somewhat in him of extraordinary; and his whole life made good that imagination. Within a very short time after he returned from his studies in Magdalen college[3] in Oxford, where, though he was under the care of a very worthy tutor, he lived not with great exactness, he spent some little time in France and more in Geneva, and after his return into England contracted a full prejudice and bitterness against the Church, both against the form of the

[1] ['and after,' MS.] [2] ['so that,' MS.]
[3] [Magd. Hall; Wood's *Athenae Oxon.*]

1640 government and the liturgy, which was generally in great reverence, even with many of those who were not friends to the other. In this giddiness, which then much displeased, or seemed to displease, his father, who still appeared highly conformable and exceedingly sharp against those who were not,
1635 he transported himself into New England, a colony within few years before planted by a mixture of all religions which disposed the professors to dislike the government of the Church; who were qualified by the King's charter to choose their own government and governors, under the obligation that every man should take the oaths of allegiance and supremacy; which all the first planters did when they received their charter, before they transported themselves from hence, nor was there in many years after the least scruple amongst them of complying with those obligations; so far men were, in the infancy of their schism, from refusing to take lawful oaths. He was no sooner landed there but his parts made him quickly taken notice of, and very probably his quality, being the eldest son of a Privy Councillor, might give him some advantage; in-
1636 somuch that, when the next season came for the election of
May 25. their magistrates, he was chosen their governor, in which place he had so ill fortune (his working and unquiet fancy raising and infusing a thousand scruples of conscience which they had not brought over with them nor heard of before)
1637 that, he unsatisfied with them and they with him, he re-transported himself into England; having sowed such seed of dissension there as grew up too prosperously, and miserably divided the poor colony into several factions and divisions, and persecutions of each other, which still continue to the great prejudice of that plantation: insomuch as some of them, upon the ground of their first expedition, Liberty of Conscience, have withdrawn themselves from their jurisdiction, and obtained other charters from the King, by which, in other forms of government, they have enlarged their plantations, within new limits adjacent to the other[1]. He was no sooner returned

[1] [In New Hampshire and at Rhode Island. The grant by the Earl of Warwick as the Governor of the King's Plantations in America of a charter

into England than he seemed to be much reformed in those extravagancies, and, with his father's approbation and direction, married a lady of a good family[1], and by his father's credit with the earl of Northumberland, who was High Admiral of England, was joined presently and jointly with sir William Russell in the office of Treasurer of the Navy, (a place of great trust and profit,) which he equally shared with the other, and seemed a man well satisfied and composed to the government. When his father received the disobligation from the lord Strafford by his being created baron of Raby, the house and land of Vane, (and which title he had promised himself,) which was unluckily cast upon him, purely out of contempt, they sucked in all the thoughts of revenge imaginable; and from thence he betook himself to the friendship of Mr. Pimm and all other discontented or seditious persons, and contributed all that intelligence which will be hereafter mentioned, as he himself will often be, that designed the ruin of the earl, and which grafted him in the entire confidence of those who promoted the same; so that nothing was concealed from him, though it is believed that he communicated his own thoughts to very few. 1640 1638

35. Denzil Hollis, the younger son and younger brother of the earl of Clare, was as much valued and esteemed by the whole party as any man, as he deserved to be, being a man of more accomplished parts than any of them, and of great reputation by the part he acted against the Court and the duke of Buckingham in the Parliament of the fourth year of the King, (the last Parliament that had been before the short one in April,) and his long imprisonment and sharp prosecution afterwards upon that account; of which he retained the memory with acrimony enough. But he would in no degree intermeddle in the counsel or prosecution of the earl of Strafford, 1629

for Providence, etc., Rhode Island, is dated March 14, 164$\frac{3}{4}$; *Calendar of Colonial State Papers*, 1574–1660, p. 325. The code of laws adopted there in 1647 declares, 'sith our charter gives us power to govern ourselves . . . the form of government established in Providence plantations is democratical.' *Collections of the Massachusetts Hist. Soc.*, second series, vol. vii. p. 79.]

[1] [Frances, daughter of Sir Christopher Wray, of Ashby, Linc.]

1640 (which he could not prevent,) who had married his sister (by whom all his children were,) which made him a stranger to all those consultations, though it did not otherwise interrupt the friendship he had with the most violent of those prosecutors. In all other contrivances he was in the most secret councils with those who most governed, and respected by them with very submiss applications as a man of authority. Sir Gilbert Gerard, the lord Digby, Strowde, Haslerigg, and the northern gentlemen who were most angry with the earl, or apprehensive of their own being in the mercy of the House, as Hotham, Cholmely and Stapleton, with some popular lawyers of the House, who did not suspect any wickedness in design and so became involved by degrees in the worst, observed and pursued the dictates and directions of the other, according to the parts which were assigned to them, upon emergent occasions; whilst the whole House looked on with wonder and amazement, without one man's interposing to allay the passion and the fury with which so many were transported.

36. This temper and constitution of both Houses of Parliament was very different from the last; and upon their first coming together[1], (as Tacitus says of the Jews that 'they exercised the highest offices of kindness and friendship towards each other, *et adversus omnes alios hostile odium*'[2]) they watched all those who they knew were not of their opinions, nor like to be, with all possible jealousy, and if any of their elections could be brought into question they were sure to be voted out of the House, and then all the artifices were used to bring in more sanctified members; so that every week increased the number of their party, both by new elections and the proselytes they gained upon the old. Nor was it to be wondered at; for they pretended all public thoughts, and only the reformation of disapproved and odious enormities, and dissembled all purposes of removing foundations, which, though it was in the hearts of some, they had not the courage and confidence to communicate it.

[1] [The commencement of this sentence is somewhat obscure in the MS. from erasure and interlineation, and has been hitherto incorrectly printed.]

[2] [*Hist.*, lib. v. c. 5.]

37. The English and the Scots' armies remained quiet in 1640
their several quarters in the north, without any acts of hostility, under the obligation of the cessation, which was still prorogued from month to month that the people might believe that a full peace would be quickly concluded. And the treaty, which during the King's being at York had been held at Rippon, being now adjourned to London, the Scots' commissioners (whereof the earl of Rothesse and the lord Lowden, who hath been mentioned before, were the chief) came thither in great state, and were received by the King with that countenance which he could not choose but shew to them [1], and were then lodged in the heart of the city, near London Stone, in a house which used to be inhabited by the lord mayor or one of the shrieves, and was situate so near to the church of St. Antlin's [2], (a place in all times made famous by some seditious lecturer,) that there was a way out of it into a gallery of that church. This benefit was well foreseen on all sides in the accommodation, and this church assigned to them for their own devotions, where one of their own chaplains still preached, amongst which Alexander Henderson was the chief, who was likewise joined with them in the treaty in all matters which had reference to religion: and to hear those sermons there was so great a conflux and resort, by the citizens out of humour and faction, by others of all quality out of curiosity, and by some that they might the better justify the contempt they had of them, that from the first appearance of day in the morning on every Sunday to the shutting in of the light the church was never empty, they (especially the women) who had the happiness to get into the church in the morning (—they who could not hung upon or about the windows without, to be auditors or spectators—) keeping their places till the afternoon's exercise was finished, which both morning and afternoon, except to palates and appetites ridiculously corrupted, was the most insipid and flat that could be delivered upon any deliberation.

[1] [On Nov. 20 the King communicated to the House of Lords 'that his majesty understands that the Scots' commissioners are come.' *Lords' Journals.*]

[2] [St. Antholin's, or, more correctly, Anthonine's, 'more vulgarly known by the name of St. Antlin's;' Strype's Stow's *Survey of London.*]

1640 38. The earl of Rothesse had been the chief architect of that whole machine from the beginning, and was a man very well bred, of very good parts and great address, in his person very acceptable, pleasant in conversation, very free and amorous, and unrestrained in his discourse by any scruples of religion, which he only put on when the part he was to act required it, and then no man could appear more conscientiously transported. There will be sometimes occasion to mention him hereafter, as already as much hath been said of the other, the lord Lowden, as is yet necessary.

39. They were no sooner come to the town but a new committee of the members of both Houses, such as were very acceptable to them, was appointed to renew and continue the treaty with them that had been begun at Rippon[1]: and then they Dec. 16. published and printed their declaration against the archbishop of Canterbury and the Lieutenant of Ireland[2], in which they said that, 'As they did reserve those of their own country who

[1] [The following passage, which is struck out in the MS. of the *Hist.* at p. 33 where it follows § 42, gives some additional particulars at this point of the narrative: 'The treaty is continued that was adjourned from Rippon between the same commissioners who were formerly enabled under the Great Seal; only, because they were all peers and so intelligence of that matter might not come so roundly to the House of Commons as might be wished, a committee was named of them (Mr. Pimm, Mr. Hambden, and their fellows), who upon all occasions might receive from the commissioners of either kingdom what should be thought necessary for communication. The former allowance of five-and-twenty thousand pound the month continued, with the cessation for another month, and fifty thousand pound the month agreed to be provided for the support of the King's army, so that the whole amounting to fourscore thousand pound the month made all men rest assured that no time would be lost in finishing the treaty, and thereby disbanding both armies, that the kingdom might be rid of so insupportable a burden; but that was the least in their vows.']

[2] [*The Charge of the Scottish Commissioners against Canterburie and the Lieutenant of Ireland* is dated Dec. 16 at the end of the Charge. It was exhibited to the two Houses on the 17th. The words quoted above are not contained in this *Charge*, but in the *Lords' Journals* of Dec. 18, the fourth Scottish demand is related to be 'That the common incendiaries, who have been the authors of this combustion in his majesty's dominions, may receive their just censure,' to which the answer had been given, 'His majesty hath yielded that such of their nation shall be left to the trial of their Parliament in Scotland;' this reservation therefore had formed part of the Scottish demand. See also Rushworth, iii. 276, 292, 372.]

had been incendiaries between the two kingdoms to be proceeded against in their own Parliament, so they desired no other justice to be done against these two criminal persons but what should seem good to the wisdom of the Parliament.' 1640

40. It was easily discerned by those who saw at any distance, and who had been long jealous of that trick, from that expression concerning *their own countrymen*, that they meant no harm to the marquis of Hambleton, against whom in the beginning of the rebellion all their bitterness seemed to be directed, and who indeed of all men had the least portion of kindness or good-will from the three nations of any man who related to the king's service. But he had, by the friendship he had shewed to the lord Lowden, and procuring his liberty when he was in the Tower for so notorious a treason, (and [who was] to be in the head of another as soon as he should be at liberty,) and by his application and dexterity at York in the meeting of the Great Council and with the Scottish commissioners employed thither before the treaty, and by his promise of future offices and services, which he made good abundantly, procured as well from the English as the Scots all assurance of indemnity; which they so diligently made good that they were not more solicitous to contrive and find out evidence or information against the other two great men than they were to prevent all information or complaint, and to stifle all evidence which was offered or could be produced, against the marquis.

41. And they were exceedingly vigilant to prevent the Scots' commissioners entering into any familiarity or conversation with any who were not fast to their party: insomuch as one day the earl of Rothesse walking in Westminster Hall with Mr. Hyde, towards whom he had kindness by reason of their mutual friendship with some persons of honour, and they two walking towards the gate to take coach to make a visit together, the earl on a sudden desired the other to walk towards the coach, and he would overtake him by the time he came thither; but staying very long, he imagined he might be diverted from his purpose, and so walked back into the Hall, where presently meeting him, they both pursued their former intention, and being in the

1640 coach the earl told him that he must excuse his having made him stay so long, because he had been detained only concerning him; that, when he was walking with him, a gentleman passing by touched his cloak, which made him desire the other to go before, and turning to the other person, he said that, 'seeing him walk in some familiarity with Mr. Hyde, he thought himself obliged to tell him, that he walked with the greatest enemy the Scots' nation had in the Parliament, and that he ought to take heed how he communicated anything of importance to him;' and that after he was parted with that gentleman, before he could pass through the Hall, four or five other eminent men severally gave him the same advertisement and caution; and then spake as unconcernedly and as merrily of the persons and their jealousy as the other could do. Men who were so sagacious in pursuing their point were not like to miscarry.

42. [1] The first compliment they put upon the Scots' commissioners was that they were caressed by both Houses with all possible expressions of kindness at least, if not of submission, and an order was carefully entered that upon all occasions the appellation should be used of '*Our Brethren of Scotland*;' [2] and upon that, wonderful kind compliments are passed of a sincere resolution of amity and unity between the two nations.

43. Things being thus constituted, it became them to satisfy the public expectation in the discovery of their new treasons, and in speedy proceedings against those two great persons. For the better preparing whereof, and facilitating whatever else should be necessary for that enterprise, the Scotch commissioners in the name of that nation presented (as is said before) two distinct declarations against the persons of the archbishop and

[1] [§§ 42–72 from the *Hist.*, pp. 33–41. In previous editions ten lines have been inserted here which are marked in the MS. for omission, as they merely repeat in a short form the notice of the use of St. Antholin's Church given in § 37, adding that the lectures 'were not till the afternoon, for in the morning their devotions were private.']

[2] [On Feb. 3, 1641 the House of Commons voted £300,000 'towards the losses and necessities of *our Brethren of Scotland*,' and on Feb. 6 the Scottish commissioners returned thanks 'for the style of *Brethren* given them in the vote of the House.' Rushworth, iii. 169, 170.]

the earl of Strafford, stuffed with as much bitterness and viru- 1640
lency as can be imagined, making them the odious incendiaries of the differences between the two nations, and the original causes of all those calamities in that kingdom which begat those differences, and most pathetically pressing for justice against them both. These discourses (for either of them consisted of many sheets of paper) were publicly read in both Houses. Dec. 17.
That against the archbishop of Canterbury was for the present laid aside, and I am persuaded at that time without any thought of resuming it, hoping that his age and imprisonment would have quickly freed them from farther trouble. But a speedy proceeding against the other was vehemently pressed as of no less importance than the peace between the two kingdoms, not without some intimation that there could be no expectation that the Scotch army would ever retire into their country, and consequently that the King's could be disbanded, before exemplary justice were done upon that earl to their satisfaction. When they had inflamed men with this consideration sufficiently, they without any great difficulty (in order to the necessary expedition for that trial,) prevailed in two propositions of most fatal consequence to the King's service and to the safety and integrity of all honest men.

44. The first, for a committee to be settled of both Houses for the taking preparatory examinations. Thus the allegation was, 'That the charge against the earl of Strafford was of an extraordinary nature, being to make a treason evident out of a complication of several ill acts; that he must be traced through many dark paths, and this precedent seditious discourse compared with that subsequent outrageous action, the circumstances of both which might be equally considerable with the matter itself; and therefore that, before this charge could be so directly made and prepared as was necessary, (for he was hitherto only accused generally of treason,) it was requisite that a committee should be made of both Houses to examine some witnesses upon oath, upon whose depositions his impeachment would easily be framed.' This was no sooner proposed in the Nov. 18, 30.
House of Commons than consented to, and upon as little debate

1640 yielded to by the Lords, and the committee settled accordingly;
Dec. 1 without considering that such an inquisition (besides that the same was most contrary to the rules of law or the practice of any former times) would easily prepare a charge against the most innocent man alive, where that liberty should be taken to examine a man's whole life, and all the light and all the private discourses had passed from him might be tortured, perverted, and applied, according to the conscience and the craft of a
Nov. 19. diligent and malicious prosecution.

45. The second was, for the examining upon oath Privy Councillors upon such matters as had passed at the Council-table. The allegation for this was, 'That the principal ingredient into the treason of which the earl was to be charged was a purpose to change the form of government, and, instead of that settled by law, to introduce a power merely arbitrary. Now this design must be made evident as well by the advices which he gave and the expressions he uttered upon immergent occasions as by his public actions, and those could not be discovered, at least not proved, but by those who were present at such consultations, and they were only Privy Councillors, as it was alleged that at his coming from Ireland the earl had said in Council there, 'That if he ever returned to that sword again, he would not leave a Scotchman in that kingdom[1]:' and at his arrival in this kingdom, the lord mayor and some aldermen of London attending the board about the loan of monies and not giving that satisfaction was expected, that he should pull out a letter out of his pocket and shew what course the King of France then took for the raising of money, and that he should tell the King that "it would never be well till he hanged up a lord mayor of London in the city to terrify the rest."'

46. There was no greater difficulty to satisfy the House of Commons with the reasonableness of this than of the former, but the compassing it was not like to be so easy; for it was visible that, though the Lords should join with them, (which

[1] ['In his parting, at the giving up of the sword, hee openly avowed our utter ruine and desolation, in these or the like words, *If I returne to that honourable sword I shall leave of the Scots neither root nor branch.*' *Charge of the Scottish Commissioners*, 4°. 1641, p. 34.]

was not to be despaired,) that the Privy Councillors would 1640
insist upon the oath they had taken, and pretend that without the King's consent they might not discover any thing that had passed at that board; so that the greatest difficulty would be, the procuring the King's consent for the betraying himself: but this must be insisted upon, for God forbid that it might be safe for any desperate wicked Councillor to propose and advise at that board (which in the intervals of Parliaments wholly disposed the affairs of state) courses destructive to the health and being of the kingdom; and that the sovereign physician, the Parliament, which had the only skill to cure those contagious and epidemical diseases, should be hindered from preserving the public, because no evidence must be given of such corrupt and wicked counsels. And so, provided with this specious oratory, they desire the Lords to concur with them for this necessary examination of Privy Councillors; who, without much debate, (for the persons concerned knew well their acts were visible and public enough, and therefore considered not much what words had passed,) consented, and appointed some to attend the Nov. 27.
King for his consent: who, not well weighing the consequence, and being in public Council unanimously advised to consent to it, and that the not doing it would lay some taint upon his Council, and be a tacit confession that there had been agitations at that place which would not endure the light, yielded Dec. 4.
that they should be examined: which was speedily done accordingly by the committee of both Houses appointed for that purpose.

47. The damage was not to be expressed, and the ruin that last act brought to the King was irreparable; for (besides that it served their turn, which no question they had discovered before, to prove those words against the earl of Strafford which sir Harry Vane so punctually remembered, as you shall find at the earl's trial, and besides that it was matter of horror to the Councillors to find that they might be arraigned for every rash, every inconsiderate, every imperious, expression or word they had used there, and so made them more engaged to servile applications;) it banished for ever all future freedom from that board and those persons

1640 from whence his majesty was to expect advice in his greatest straits; all men satisfying themselves that they were no more obliged to deliver their opinions there freely, when they might be impeached in another place for so doing; and the evincing this so useful doctrine was without doubt more the design of those grand managers, than any hope they had of receiving further information thereby than before they had.

48. And for my part, I must ask leave of those noble lords who after the King's consent gave themselves leave to be examined, to say, that if they had well considered the oath they had taken when they were admitted to that society, which was to '*keep secret all matters committed and revealed to them, or* [*that*] *should be treated of secretly in Council*[1],' they would not have believed that the King himself could have dispensed with that part of their oath. It is true there is another clause in their oath that allows them with the King's consent to reveal a matter of Council: but that is, only what shall touch another Councillor, which they are not to do without the leave of the King or the Council.

49. It was now time to intend themselves as well as the public, and to repair as well as to pull down; and therefore, as the principal reason (as was said before) for the accusing those two great persons of high treason (that is, of the general consent to it before any evidence was required) was, that they might be removed from the King's presence and his counsels, without which they conceived theirs would have no power with him; so, that being compassed, care was taken to infuse into the King by marquis Hambleton, (who you heard before was licensed to take care of himself, and was now of great intimacy with the governing and undertaking party,) that, his majesty having declared to his people that he really intended a reformation of all those extravagancies which former necessities, or occasions, or mistakes, had brought into the government of Church or State, he could not give a more lively and demonstrable evidence, and a more gracious instance, of such his intention, than by calling such persons to his Council whom the people generally thought most inclined

[1] [Rushworth, ii. 967.]

to, and intent upon, such reformation: besides, that this 1640
would be a good means to preserve the dignity and just power of that board, which might otherwise for the late excess be more subject to violation, at least to some inconvenient attempts.

50. Hereupon in one day were sworn Privy Councillors, much to the public joy, the earl of Hartford, (whom the King shortly after made marquis,) the earl of Bedford, the earl of Essex, the earl of Bristol, the lord Say, the lord Savill, and the lord Kimbolton, and within two or three days after the earl of Warwick: being all persons at that time very gracious to the people, or to the Scots, by whose election and discretion the people chose; and had been all in some umbrage at Court, and most of them in visible disfavour there. This act the King did very cheerfully, heartily inclined to some of them, as he had reason, and not apprehending any inconvenience by that act from the other, whom he thought this light of his grace would reform, or at least restrain.

51. But the calling and admitting men to that board is not a work that can be indifferent, the reputation, if not the government, of the State so much depending on it. And though, it may be, there hath been too much curiosity heretofore used to discover men's particular opinions in particular points before they have received that honour, (whereas possibly such differences were rather to have been desired than avoided,) yet there are certain opinions, certain propositions, and general principles, that whosoever does not hold, does not believe, is not without great danger to be accepted for a Privy Councillor. As, whosoever is not fixed to monarchic grounds, the preservation and upholding whereof is the chief end of such a Council; whosoever does not believe that, in order to that great end, there is a dignity, a freedom, a jurisdiction, most essential to be preserved in and to that place, and takes not the preservation thereof to heart; ought never to be received there. What in prudence is to be done towards that end admits a latitude that honest and wise men may safely and profitably differ [in]; and those differences (which I said before there was too much unskilful care to prevent) usually produce great

1640 advantages in knowledge and wisdom: but the end itself, that which the logicians call the *terminus ad quem*, ought always to be a *postulatum*, which whosoever doubts destroys. And princes cannot be too strict, too tender, in this consideration, in the constituting the body of their Privy Council; upon the prudent doing whereof much of their safety, more of their honour and reputation (which is the life itself of princes) both at home and abroad, necessarily depends; and the inadvertencies in this point have been, mediately or immediately, the root and the spring of all the calamities that have ensued.

52. Two reasons have been frequently given by princes for oversights, or for wilful breaches, in this important dispensation of their favours. The first, 'that such a man can do no harm;' when, God knows, few men have done more harm than those who have been thought to be able to do least; and there cannot be a greater error than to believe a man whom we see qualified with too mean parts to do good to be therefore incapable of doing hurt: there is a supply of malice, of pride of industry, and even of folly, in the weakest, when he sets his heart upon it, that makes a strange progress in mischief. The second, when persons of ordinary faculties, either upon importunity or other collateral respects, have been introduced thither, 'that it is but a place of honour, and a general testimony of the king's affection;' and so it hath been as it were reserved as a preferment for those who were fit for no other preferment; as amongst the Jesuits they have a rule that they who are unapt for greater studies shall study cases of conscience[1]. By this means the number hath been increased, which in itself breeds great inconveniences, since a less number are fitter both for counsel and despatch in matters of the greatest moment that depend upon a quick execution, than a greater number of men equally honest and wise: and for that, and other reasons of unaptness and incompetency, committees of dexterous men have been appointed out of the table to do the business of the table. And so men have been no sooner exalted with the reverent title, and pleased with the obligation of being

The Cabal.

[1] [*Regulæ Provincialis*, art. 56.]

made Privy Councillors, than they have checked that delight with discerning that they were not fully trusted; and so been more incensed with the reproachful distinction at, than obliged with the honourable admission to, that board, where they do not find all persons equally members. And by this kind of resentment many sad inconveniences have befallen to the King, and to those men who have had the honour and misfortune of those secret trusts. 1640

53. The truth is, the sinking and near desperate condition of monarchy in this kingdom can never be buoyed up but by a prudent and steady Council attending upon the virtue and vivacity of the king; nor be preserved and improved when it is up but by cherishing and preserving the wisdom, integrity, dignity, and reputation of that Council: the lustre whereof always reflects upon the king himself, who is not thought a great monarch when he follows the reins of his own reason and appetite, but when, for the informing his reason and guiding his actions, he uses the service, industry, and faculties of the wisest men. And though it hath been, and will be, always necessary to admit to those Councils some men of great power who will not take the pains to have great parts, yet the number of the whole should not be too great, and the capacities and qualities of the most [should be] fit for business; that is, either for judgment and despatch, or for one of them at least; and integrity above all[1].

54. This digression (much longer than was intended) will not appear very impertinent when the great disservice shall appear, which befell unto the King by the swearing those lords formerly mentioned (I speak but of some of them) Privy Councillors. For, instead of exercising themselves in their new province, and endeavouring to preserve and vindicate that jurisdiction, they looked upon themselves as preferred thither by their reputation in Parliament, not [by the] kindness and estimation of the King; and so resolved to keep up principally the greatness of that place to which they thought they owed their greatness. And therefore when the King required the advice of his Privy Council in those matters of the highest importance which were then every day incumbent [on] him,

[1] [The last four words have been added at a later period.]

1640 the new Privy Councillors positively declared that they might not (that was, that nobody might) give his majesty any advice in matters depending in the two Houses, and not agreeable to the sense of the two Houses; which (forsooth) was his Great Council, by whose wisdom he was entirely to guide himself. And as this doctrine was most insipidly and perniciously urged by them, so it was most supinely and stupidly submitted to by the rest: insomuch as the King in a moment found himself bereaved of any public assistance or advice, in a time when he needed it most; and his greatest, and upon the matter his only, business being prudently to weigh and consider what to consent to, and what to deny, of such things as should be proposed to him by the two Houses, he was now told that he was only to be advised by them; which was as much as to ask whether they had a mind he should do whatever they desired of him.

55. Whereas in truth it is not only lawful for, but the duty of, the Privy Council, to give faithfully and freely their advice to the King upon all matters concluded in Parliament, to which his royal consent is necessary, as well as upon any other subject whatsoever. Nay, as a Councillor, he is bound to dissuade the King to consent to that which is prejudicial to the Crown, at least to make that prejudice manifest to him; though as a private person he could wish the matter consented to. And therefore, by the constitution of the kingdom and the constant practice of all times, all bills, after they are passed both Houses and engrossed, are delivered by the clerk of the Parliament to the clerk of the Crown, and by him brought to the Attorney General; who presents the same to his majesty sitting in Council, and, having read them, declares what alterations are [made] by those bills in former laws, and what benefit or detriment, in profit or jurisdiction, will accrue thereby to the Crown: and thereupon, upon a full and free debate by his Councillors, the King resolves, and accordingly doth enact the bills that are to be enacted into laws, and respites the other that he thinks not fit to consent to. And methinks as this hath been the known practice, so the reason is very visible; that the royal assent being a distinct and essential part towards

the making a law, there should be as much care taken to inform the understanding and conscience of the King upon those occasions, as theirs who prepare the same for his stamp [1]. 1640

56. That it might appear that what was done within the Houses was agreeable to those who were without, and that the same spirit reigned in Parliament and people, all possible license was exercised in preaching, and printing any old scandalous pamphlets and adding new to them, against the Church: petitions presented by many parishioners against their pastors, with articles of their misdemeanours and behaviours; most

[1] [The following short account of the state of parties in both Houses (more fully described from the MS. of the *Life* in §§ 24–36) is given here in the *Hist.*, p. 37:—

'The Council-table being by this new doctrine and these new doctors rendered useless to the King, the fate of all things depended upon the two Houses, and therefore it will not be amiss to take a view of the persons by whose arts and interests the rest were disposed, the lesser wheels moving entirely by their virtue and impulsion. In the Lords' House the earls of Essex, Bedford, Warwick, the lords Say and Kimbolton, were the governing voices, attended by Brooke, Wharton, Pagett, and such like. In the House of Commons Mr. Pymm, Mr. Hambden, Mr. St. John, Mr. Hollis, and Mr. Fynes, absolutely governed, being stoutly seconded upon all occasions by Mr. Strode, sir John Hotham, (whom his hatred to the earl of Strafford and his having been a dexterous shrief in the collection of ship-money had firmly united to that party,) sir Walter Earle, young sir Harry Vane, and many others of the same tempers and dispositions; but truly, I am persuaded whatever design either of alteration or reformation was yet formed, I mean in the beginning of the Parliament, was only communicated between the earl of Bedford, the lords Say and Kimbolton, Mr. Pymm, Mr. Hambden, Mr. Fynes, and Mr. St. John, who, together with the earl of Rothesse and the lord Lowden, (of the Scots' commissioners,) managed and carried it on; and that neither the earl of Essex, Warwick, nor Brooke himself, no, nor Mr. Hollis or Strode, or any of the rest, were otherwise trusted than upon occasion, and made use of according to their several gifts. But there was yet no manner of difficulty in swaying and guiding the affections of men, all having brought resolution and animosity enough against the excesses and exorbitancies that had been exercised in the former government, and dislike enough to the persons guilty of the same, and not yet discerning that there was any other intention than of a just and regular proceeding and reformation upon both. All things going on thus smoothly within the walls and succeeding according to wish, it was requisite to feel the pulse of the people and to discover how they stood inclined, and how far upon any emergent occasion they might be relied on; and for that purpose a pregnant opportunity was offered.

There had been three persons,' &c. *as in par.* 58, *l.* 1.]

1640 whereof consisted, in their bowing at the name of Jesus, and obliging the communicants to come up to the altar, (as they enviously called it,) that is, to the rails which enclosed the communion-table, to receive the Sacrament. All which petitions were read with great delight, and presently referred to the committee for religion, where Mr. White, a grave lawyer, but notoriously disaffected to the Church, sat in the chair; and then both petition and articles were suffered to be printed and published (a license never practised before,) that the people might be inflamed against the clergy; who were quickly taught to call all those against whom such petitions and articles were exhibited (which were frequently done by a few of the rabble and meanest of the people against the sense and judgment of the parish) *the scandalous clergy;* which appellation was frequently applied to men of great gravity and learning and the most unblemished lives.

57. There cannot be a better instance of the unruly and mutinous spirit of the city of London, which was the sink of all the ill humour of the kingdom, than the triumphant entry which some persons at that time made into London who had been before seen upon pillories and stigmatized as libellous and infamous offenders: of which *classis* of men scarce any age can afford three such [1].

[1] [The following account of Prynne and his associates is taken from the MS. of the *Life*, which, repeating the above paragraph, proceeds thus (pp. 108–9):—

'— of which *classis* of men scarce any age can afford three such as Prinn, a lawyer, Bastwicke, a physician, and Burton, a preacher in a parish of London, names very well known to that time, who had been all severely sentenced in the Star-Chamber at several times for publishing seditious books against the Court and the government of Church and State; and, having undergone the penalties inflicted upon them by those sentences, continued the same practice still in the prisons where they were kept, and still sent out the most bitter and virulent libels against the Church and the persons of the most eminent bishops that their malice could invent. For which being again brought into the Star-Chamber, *ore tenus* they with great impudence acknowledged what they were charged with, and said they would justify the truth of all they had said or writ, and demanded that none of the bishops, who, they said, were parties, and their declared enemies, might sit in the court as their judges, and committed many insolencies which enough provoked the court to be severe to them; [in] which, upon a day set apart only for that debate, with great solemnity most of the lords declared their particular judgments against them in set and formed discourses, so that there was never a greater unanimity in any sentence; and they were

58. There had been three persons of several professions 1640
some years before censured in [the] Star Chamber; William Pryn, a barrister of Lincoln's Inn, John Bastwick, a doctor of physic, and Henry Burton, a minister and lecturer in London.

59. The first, not unlearned in the profession of the law, as far as learning is acquired by the mere reading of books; but, being a person of great industry, had spent more time in reading divinity, and, which marred that divinity, in the conversation of factious and hotheaded divines: and so, by a mixture of all three with the rudeness and arrogancy of his own nature, had contracted a proud and venomous dislike against the discipline

judged to undergo corporal punishment, and to remain prisoners during their lives: which sentence was executed upon them with the utmost rigour. And afterwards, upon the resort of persons to them in prison, and by that means they finding still opportunity to spread their poison, they were all removed to several prisons; Prinn to the Isle of Jarsey, Bastwicke to a castle in North Wales, and Burton to the Isle of Silly; where they remained unthought of for some years. This Parliament was no sooner met but a petition was delivered by Bastwicke's wife on the behalf of her husband, which brought on the mention of the other two, and easily procured an order for the bringing them to the town to the end they might have liberty to prosecute their complaints; and orders were signed by the Speaker of the House of Commons to the several governors of the castles where they were in custody, for their safe sending up. Whether it were by accident or combination, Prinn and Bastwicke met together in the same town and the same inn two days short of London, and were received and visited by many of the town and places adjacent as persons of merit and to whom much kindness and respect was due. The next night they came Nov. 27.
to Col[n]ebrook, where they were met by many of their friends from London, and were treated with great joy and feasting; and being to come to London the next day, they were met by multitudes of people on horse- Nov. 28.
back and on foot, who with great clamour and noise of joy congratulated their recovery. And in this manner, about two of the clock in the afternoon, they made their entry into London by Charing Cross; the two branded persons riding first, side by side, with branches of rosemary in their hands, and two or three hundred horse closely following them, and multitudes of foot on either side of them walking by them, every man on horseback or on foot having bays and rosemary in their hats or hands, and the people on either side of the street strewing the way as they passed with herbs and such other greens as the season afforded, and expressing great joy for their return. Nor had any minister of justice or magistrate or the State itself courage enough to examine or prosecute in justice any persons who were part of that riotous assembly, whereof there were many citizens of good estates; so low the reputation of the government was fallen, and so heedless all who should have supported it.]

1640 of the Church of England, and so by degrees (as the progress is very natural) an equal irreverence to the government of the State too; both which he vented in several absurd, petulant, and supercilious discourses in print.

60. The second, a half-witted, crack-brained fellow, unknown to either University, or the College of Physicians[1]; but one that had spent his time abroad, between the schools and the camp, (for he had been in or passed through armies,) and had gotten a doctorship, and Latin; with which, in a very flowing style, with some wit and much malice, he inveighed against the prelates of the Church in a book which he printed in Holland[2], and industriously dispersed in London and throughout the kingdom; having presumed (as their modesty is always equal to their obedience) to dedicate it '*to the sacred majesty of the King.*'

61. The third had formerly a kind of relation by service to the King; having, before he took orders, waited as closet-keeper, and so attended at canonical hours, with the books of devotion, upon his majesty when he was prince of Wales; and a little before the death of King James took orders: and so his highness coming shortly to be King, the vapours of ambition fuming into his head that he was still to keep his place, he would not think of less than being clerk of the closet to the new King, which place his majesty conferred upon, or rather continued in, the bishop of Durham, doctor Neyl, who had long served King James there. Mr. Burton thus disappointed, and, as he called it, despoiled of his rights, would not, in the greatness of his heart, sit down by the affront; but committed two or three such weak, saucy indiscretions, as caused an inhibition to be sent him that he should not presume to come any more to Court: and from that time [he] resolved to revenge himself of the bishop of Durham upon the whole order, and so

[1] [He was for a short time at Emanuel College, Cambridge, took the degree of M.D. at Padua, Jan. 13, 1622, and was admitted Extra-licentiate of the College at London, Feb. 15, 162$\frac{4}{5}$. Munk's *Roll of the Royal Coll. of Phys.* I. 176.]

[2] [*Elenchus religionis Papisticae*, at Leyden, in 1624, for which he was fined in the High Commission court, and sentenced to be excommunicated and imprisoned, Feb. 12, 163$\frac{3}{4}$.]

turned lecturer, and preached against them; being endued with malice and boldness, instead of learning and any tolerable parts. 1640

62. These three persons having been for several follies and libelling humours first gently reprehended, and after for their incorrigibleness more severely censured and imprisoned, found some means in prison of correspondence, which was not before known to be between them, and to combine themselves in a more pestilent and seditious libel than they had ever before vented[1]; in which the honour of the King, Queen, counsellors, and bishops, was with equal license blasted and traduced; which was faithfully dispersed by their proselytes in the city. The authors were quickly and easily known, and had indeed too much ingenuity to deny it; and were thereupon brought together to the Star-Chamber-bar *ore tenus;* where they behaved themselves with marvellous insolence, with full confidence demanding that the bishops who sat in the court (being only the archbishop of Canterbury, and the bishop of London) might not be present, because they were their enemies, and so parties: which, how scandalous and ridiculous soever it seemed then there, was good logic and good law two years after in Scotland, and served to banish the bishops of that kingdom both from the Council-table and the Assembly. Upon a very patient and solemn hearing, in as full a court as I ever saw, without any difference in opinion or dissenting voice, they were all three censured as scandalous, seditious, and infamous persons, to lose their ears in the pillory, and to be imprisoned in several gaols[2] during the King's pleasure: all which was executed with rigour and severity enough. But yet their itch of libelling still brake out; and their friends of the city found a line of communication. Hereupon the wisdom of the State thought fit that those infectious sores should breathe out their corruption in some air more remote from that catching city and less liable to the contagion: and so, by an order of the

1637 June 14.

June 30.

Sept. 17.

[1] [*Newes from Ipswich, discovering certaine late detestable practises of some domineering lordly prelates*, 1636. Prynne's first sentence, for publishing the *Histriomastix*, was in the Star-Chamber, Feb. 17, 163$\frac{3}{4}$.]

[2] [Prynne in Carnarvon Castle, Bastwick in Launceston, and Burton in Lancaster.]

1640 Lords of the Council, Mr. Pryn was sent to a castle in the island of Jarsey, Dr. Bastwick to Silly, and Mr. Burton to Gwernesy; where they remained unconsidered, and truly I think unpitied (for they were men of no virtue or merit,) for the space of two years, till the beginning of this present Parliament.

Nov. 7. 63. Shortly upon that, petitions were presented by their wives or friends to the House of Commons, expressing their heavy censures and long sufferings; and desiring, by way of appeal, that the justice and rigour of that sentence might be reviewed and considered; and that their persons might be brought from those remote and desolate places to London, that so they might be able to solicit or attend their own business. The sending for them out of prison (which was the main) took up much consideration: for, though very many who had no kindness had yet compassion towards them, as thinking they had suffered enough, and that, though they were scurvy fellows, they had been scurvily used; and others had not only affection to their persons, as having suffered for a common cause, but were concerned to revive and improve their useful faculties of libelling and reviling authority, and to make those ebullitions not thought noisome to the State; yet a sentence of a supreme court, the Star Chamber, (of which they had not yet spoke with irreverence,) was not lightly to be blown off: but when they were informed, and had considered, that by that sentence the petitioners were condemned to some prisons in London[1], and were afterward removed thence by an order of the lords of the Council, they looked upon that order as a violation of the sentence; and so made no scruple to order that the prisoners should be removed from those foreign prisons to the places to which they were

Nov. 7. regularly first committed. And to that purpose warrants were signed by the Speaker to the governors and captains of the several castles to bring them in safe custody to London: which were sent with all possible expedition.

64. Pryn and Burton being neighbours (though in distinct islands) landed at the same time at Southampton; where they

[1] [Probably written by mistake for *England*.]

were received and entertained with extraordinary demonstra- 1640
tion of affection and esteem, attended by a marvellous conflux of company, and their charges not only borne with great magnificence, but liberal presents given to them. And this method and ceremony kept them company all their journey, great herds of people meeting them at their entrance into all towns, and waiting upon them out with wonderful acclamations of joy. When they came near London multitudes of people of several conditions, some on horseback, others on foot, met them some miles from the town, very many having been a day's journey; and so they were brought, about two of the Nov. 28.
clock in the afternoon, in at Charing Cross, and carried into the city by above ten thousand persons with boughs and flowers in their hands, the common people strewing flowers and herbs in the ways as they passed, making great noise and expressions of joy for their deliverance and return, and in those acclamations mingling loud and virulent exclamations against the bishops, 'who had so cruelly prosecuted such godly men.' In the same manner, within five or six days after, and in like triumph, Dr. Bastwick returned from Silly, landing at Dover; Dec. 4.
and from thence, bringing the same testimonies of the affections and zeal of Kent as the others had done from Hampshire and Surrey, was met before he came to Southwark by the good people of London, and so conducted to his lodging likewise in the city.

65. I should not have wasted this much time and paper in a discourse of this nature, but that it is and was then evident, that this insurrection (for it was no better) and phrensy of the people was an effect of great industry and policy, to try and publish the temper of the people; and to satisfy themselves in the activity and interest of their tribunes, to whom that province of shewing the people was committed. And from this time the license of preaching and printing increased to that degree that all pulpits were freely delivered to the schismatical and silenced preachers, who till then had lurked in corners or lived in New England; and the presses [were] at liberty for the publishing the most invective, seditious, and scurrilous pamphlets that their wit and malice could invent. Whilst the

1640 ministers of the State, and judges of the law, like men in an ecstasy, surprised and amazed with several apparitions, had no speech or motion; as if, having committed such an excess of jurisdiction, as men upon great surfeits are enjoined for a time to eat nothing, they had been prescribed to exercise no jurisdiction at all. Whereas, without doubt, if either the Privy Council, or the judges and the King's learned counsel, had assumed the courage to have questioned the preaching, or the printing, or the seditious riots upon the triumph of these three scandalous men, before the uninterruption and security had confirmed the people in all three, it had been no hard matter to have destroyed those seeds and pulled up those plants, which, neglected, grew up and prospered to a full harvest of rebellion and treason. But this was yet but a rudeness and rankness abroad, without any visible countenance or approbation from the Parliament: all was chaste within those walls.

66. The first malignity that was apparent there (for the accusation of the archbishop and the earl of Strafford were looked upon as acts of passion, directed against particular persons, who were thought to have deserved some extraordinary measure and proceeding) was against the Church: not only in their committee for religion, (which had been assumed ever since the latter times of King James, but no such thing had been before heard of in parliaments,) where, under pretence of receiving petitions against clergymen, they often debated points beyond the verge of their understanding; but by their cheerful reception of a declaration of many sheets of paper
1641 against the whole government of the Church, presented by ten
Jan. 23. or a dozen ministers at the bar, and pretended to be signed by seven hundred ministers of London and the counties adjacent:
Dec. 11. and a petition, presented by alderman Pennington, and alleged to be subscribed by twenty thousand men, inhabitants within the city of London, who required, in plain terms, the total extirpation of episcopacy[1]. But the House was then so far

[1] ['—that the said government, with all its dependencies, roots and branches, may be abolished, and all laws in their behalf made void.' Rushworth, iii. 93.]

from being possessed with that spirit that the utmost that could be obtained, upon a long debate upon that petition, was that it should not be rejected; against which the number of the petitioners was urged as a powerful argument; only it was suffered to remain in the hands of the clerk of the House, with direction that no copy of it should be given. And for the ministers' declaration, one part only of it was insisted on by them and read in the House; which concerned the exercise of their jurisdiction, and the excess of ecclesiastical courts: the other parts were declined by many of them, and especially ordered to be sealed up by the clerk, that it might be perused by no man. So that all that envy and animosity against the Church seemed to be resolved into a desire that a bill might be framed to remove the bishops from their votes in the Lords' House and from any office in secular affairs; which was the utmost men pretended to wish: and to such a purpose a bill was shortly after prepared, and brought into the House; of which more shall be said in its proper place. 1640 1641 March 30.

67. It was a strange uningenuity and mountebankry that was practised in the procuring those petitions, which continued ever after in the like addresses. The course was, first, to prepare a petition, very modest and dutiful for the form, and for the matter not very unreasonable; and to communicate it at some public meeting, where care was taken it should be received with approbation: the subscription of very few hands filled the paper itself where the petition was written, and therefore many more sheets were annexed, for the reception of the number which gave all the credit and procured all the countenance to the undertaking. When a multitude of hands was procured, the petition itself was cut off and a new one framed suitable to the design in hand, and annexed to the long list of names which were subscribed to the former. And by this means many men found their names subscribed to petitions of which they before had never heard. As several ministers, whose hands were to the petition and declaration of the London ministers before mentioned, have professed to many persons that they never saw that petition or declaration before it was presented to the House, but had signed another, the

1640 substance of which was, not to be compelled to take the oath enjoined by the new Canons: and when they found, instead of that, their names set to a desire of an alteration of the government of the Church, they with much trouble went to Mr. Marshall with whom they had intrusted their petition and their hands, who gave them no other answer but that it was thought fit by those who understood business better than they that the latter petition should rather be preferred than the former. And when he found they intended by some public act to vindicate themselves from that calumny, such persons upon whom they had their greatest dependence were engaged, by threats and promises, to prevail with them to sit still, and to pass by that indirect proceeding.

68. For the better facilitating and making way for these virulent attempts upon the Church, petitions and complaints are exhibited against the exorbitant acts of some bishops; especially
Dec. 24. against the bishops of Bath and Wells, and Ely, who had with
Dec. 19. great pride and insolence provoked all the gentry, and in truth most of the inhabitants, within their dioceses. And the new Canons were insisted on as a most palpable invasion by the whole body of the clergy upon the laws and liberty of the people.

69. I told you before that, after the dissolution of the former
May 13. short Parliament, the Convocation-house was continued by special warrant from the King, and by his majesty, in a
May 15. solemn message sent to them by sir Harry Vane, then principal Secretary, required to proceed in the making of Canons, for the better peace and quiet of the Church. Notwithstanding this command, the chief of the clergy (well knowing the spirit of bitterness that was contracted against them, and many obsolete pamphlets against their jurisdiction and power being, since the commotions in Scotland, revived and published with more freedom,) desired his majesty, that the opinions of the judges might be known and declared whether they might then lawfully sit, the Parliament being dissolved, and proceed in the making of Canons; as likewise upon other particulars in their jurisdiction, which had been most inveighed against.

70. All the judges of England, upon a mature debate, in

the presence of the King's Council, under their hands asserted 1640
their power of making Canons, and those other parts of juris- May 4.
diction which had been so enviously questioned. Hereupon they proceeded; and, having composed a body of Canons, presented the same to his majesty for his royal approbation. They were then again debated at the Council-board, not without May 29.
notable opposition; for, upon some lessening the power and authority of the chancellors and their commissaries by those Canons, the professors of that law took themselves to be disobliged; and sir Henry Martin, (who could not oversee any advantages,) upon several days of hearing at the Council-table, with his utmost skill objected against them: but in the end, by the entire and unanimous advice of the Privy Council, the Canons were confirmed by the King, under the Great Seal of June 30.
England, and thereby legally enjoined to be observed. So that, whatever they were, the judges were at least as guilty of the first presumption in framing them, and the lords of the Council in publishing and executing them, as the bishops or the rest of the clergy in either.

71. Yet the storm fell wholly on the Church; and the matter of those Canons, and the manner of making them, was insisted on as a pregnant testimony of a malignant spirit in the very function of the bishops. The truth is, the season in which that Synod continued to sit (as was observed before) was in so ill a conjuncture of time, (upon the dissolution of a Parliament, and almost in an invasion from Scotland,) that nothing could have been transacted there of a popular and prevailing influence. Then, some sharp Canons against sectaries, and some additionals in point of ceremonies, (countenancing, though not enjoining, what had not been long practised), infinitely inflamed some and troubled others, who jointly took advantage of what strictly was amiss, as the making an oath, (the matter of which was conceived incongruous,) and enjoining it to many of the laity as well as the clergy, and the granting of subsidies.

72. So that the House of Commons (that is, the major part) Dec. 15.
made no scruple in that fury to declare that the Convocation

1640 House had no power at all of making Canons, (notwithstanding that it was apparent by the law and the uncontradicted practice of the Church that Canons had never been otherwise made,) and that those Canons contained in them matter of sedition and reproach to the regal power, prejudicial to the liberty and property of the subject and to the privileges of Parliament. By the extent of which notable vote and declaration they had involved almost the whole clergy under an arbitrary guilt, as much as they had done the nobility and gentry before under their votes of lords lieutenants, deputy lieutenants, privy councillors and shrieves, and of which they made the same use; as shall be remembered in its proper place.

73[1]. The two armies were necessarily to be provided for, lest the countries where their quarters were should come to be

[1] [§§ 73–78 from MS. of *Life*, pp. 110–112. The MS. of the *Hist.* proceeds thus (p. 41):—

'Hitherto the vast burden of fourscore thousand pounds a month for the two armies was supported by particular loans and engagements of particular persons, no bill of subsidies being yet preferred, and in those loans and engagements no men so forward as the great reformers before mentioned; and their policy in this was very notable. If subsidies had been granted at first proportionable to the charge, (as naturally was expected,) a stock of credit would have been raised whereby monies might have been had for the disbanding both armies, which they had no mind to, as Mr. Strowde once said (when that point was pressed and that the Scots might return) that they could not yet spare them, for the sons of Zeruiah were too strong for them. Then they made their own merit and necessary use appear, that the great occasions of the kingdom and the preserving it from two great armies depended upon their interest and reputation; and therefore they suffered the Scots' commissioners sometimes in great disorder to press for money when none was ready, and to declare that if it were not returned by such a day their army must necessarily advance to change their quarters, that so their dexterity might appear in suppressing or supplying that importunity. In the last place, the task of borrowing of money gave them opportunity of pressing their own designs to facilitate their work; as, if anything they proposed in the House was crossed, presently the city would lend no more money because of this or that obstruction: the particulars whereof, and the advantages they had by it, will be mentioned seasonably. At last, rather for the support of their own credit than the supply of the kingdom, a bill was prepared for six subsidies to be received by persons appointed by themselves, without ever passing through the King's Exchequer; for which there was a natural excuse, that it would hardly discharge the present engagements, and so was properly to be received by them who had before advanced the money.']

oppressed by free quarter, which would not only raise a very inconvenient noise but introduce a necessity of disbanding the armies, which they were in no degree ready for: and money not being to be raised soon enough in the formal way by Act of Parliament, which would require some time in the passage, (besides that the manner and way of raising it had not been enough considered, and the collecting it would require much time even after an Act of Parliament should be passed), therefore for the present supply they thought fit to make use of their credit with the city, to whom a formal embassy of Lords and Commons was sent, which were carefully chosen of such persons as carried the business of the House before them, that the performing the service might be as well imputed to their particular reputation and interest as to the affection of the city: and these men in their orations to the citizens undertook that their money should be repaid with interest by the care of the Parliament. And this was the first introduction of the public faith, which grew afterwards to be applied to all monstrous purposes. 1640 1641 March 25.

74. And this expedient succeeded twice or thrice for such sums as they thought fit to require, which were only enough to carry on their affairs and keep them in motion, not proportionable to discharge the debt due to the armies but to enable them to pay their quarters: it being fit to keep a considerable debt still owing, lest they should appear too ready to be disbanded.

75. And they had likewise another design in this commerce with the city; for always upon the loan of money they recommended some such thing to the Parliament as might advance the designs of the party, as the proceeding against delinquents, or some reformation in the Church, which the managers knew well what use to make of upon any emergency, when they had set this traffick on foot in the city and so brought their friends there into more reputation and activity. For at their election of Common Council men, (which is every year before Christmas, and in which new men had rarely used to be chosen except in case of death, but the old still continued,) all the grave and

1640 substantial citizens were left out, and such chosen as were most eminent for opposing the government and most disaffected to the Church, though of never so mean estates: which made a present visible alteration in the temper of the city, the Common Council having so great a share in the management of affairs there and even in the government itself.

76. Other ways were to be thought of for getting of money, which was once, at least, every month called for very importunately by the Scots' commissioners; which caused the same provision to be made for the English forces. The next expedient was, that in so great an exigence, and for the public peace, that the armies might not enter into blood by the determination of the cessation, which want of pay would inevitably produce, the several members of the House would lend money according to their several abilities, or that such as had no money would become bound for it; and upon these terms
Nov. 25. enough could be borrowed. And this was no sooner proposed but consented to by all the eminent leaders, and by many others in order to make themselves the more acceptable to those; and some did it for their own convenience, there being little hazard of their money, and full interest to be received, and believing it would facilitate the disbanding of the armies, upon which all sober men's hearts were directed.

77. And now, to support their stock of credit, it was time to raise money upon the people by Act of Parliament, which they had an excuse for not doing in the usual way and giving it immediately to the King, to be paid into the Exchequer; because the public faith was so deeply engaged to the city for a great debt, and so many particular members in the loan of moneys and in being bound for the payment of great sums for which their estates were liable: and therefore it was but reason that for their indemnity the money that was to be raised should be paid into the hands of particular members of the House, named by them, who should take care to discharge all public engagements. And the first bill they passed being but for two subsidies [1], which was not sufficient to discharge any consider-

[1] [Two subsidies were originally voted, on Dec. 10, 1640, but on Dec. 23

able part of the money borrowed, they inserted in the bill the commissioners' names who were to receive and dispose the money. And the King made no pause in the passing it, himself not considering the consequence of it, and none about him having the courage to present it to him. 1640 Dec. 17. 1641 Feb. 16.

78. But from that time there was no bill passed for the raising of money but it was disposed of in the same or the like manner, that none of it could be applied to the King's use or by his direction. Nor were they contented with this invasion of his prerogative, but took notice that from the time of his majesty's coming to the crown he had taken the customs and impositions upon merchandise as his own right, without any Act of Parliament, which no King had ever before done; insinuating withal that they meant to make a further inquisition into those who had been the chief ministers in that presumption. They said, nobody could imagine but that they intended to grant the same to his majesty in the same manner for his life as had been done to his progenitors by former Parliaments; but that they found such an Act could not be presently made ready, because the book of rates now in practice (besides that it had not been made by lawful authority) contained many excesses, and must be reformed in several particulars; in preparing which they would use all possible diligence, and hoped to effect it in a short time: however, that the continuance of the collection in the manner it was in, without any lawful title and during the very sitting of the Parliament, would be a precedent of a very evil consequence and make the right of giving it the more questioned, at least the less valued. And therefore it would be fit that either all the present collection be discontinued and cease absolutely, which was in the power of the merchants themselves to make, by refusing to pay any duties, which there was no law to compel them to, or that a short Act should be presently passed for the continuance of the payment for a short time; against

it was resolved 'that two subsidies more shall be added to those subsidies already agreed upon,' and the bill for the four was passed on Jan. 18. *Commons' Journals.*]

1641 the expiration whereof the Act for life, with the book of rates, would be prepared and ready. There were many inconveniences discovered in the first, in discontinuing the collection and payment of duties, which would not be so easily revived again and reduced into order; and that the last would, without prejudice to either, both vindicate the right of the subject and secure the March 18. King's profit: and so they prepared (with all the expressions of duty and affection to the King that can be imagined) and June 2. presented a grant of those duties for some few months[1], in which there was a preamble disapproving and condemning all that had been done in that particular from his majesty's first coming to the crown to that time, and asserting his whole right to depend upon the gift of his subjects, and concluded with most severe penalties to be inflicted upon those who should presume hereafter to collect or receive those duties otherwise than as they were, or should be, granted by Act of Parliament, which was never before provided for. And the June 22. King likewise passed it; and so, besides other unseasonable concessions and determinations, put all the revenue he had to live upon and to provide him meat into their hands, and to take from him whenever they should think it convenient to their other designs: and of which he shortly after found the mischief.

79[2]. Though, as hath been observed, there was not yet one penny of money given to the King or received by his ministers, yet, because subsidies were raised upon the people according to the formality of Parliaments, and as if all that great supply had been to the King's own coffers, it was thought necessary that the people should be refreshed with some behoofful law at the same time that they found themselves charged with the payment of so many subsidies. And under that consideration, Jan. 20. together with that bill for subsidies another was sent up to the Lords for a triennial Parliament, both which quickly passed that House[3] and were transmitted to the King.

[1] [For three years].

[2] [§§ 79–80 are from the MS. of *Hist.*, pp. 41–42.]

[3] [The latter Bill was returned with amendments which the Commons adopted, and was again sent up to the Lords on Feb. 12.]

80. In that for the triennial Parliament (though the same 1641
were grounded upon two former statutes in the time of K. Edw. III[1] that there should be once every year a Parliament) there were some clauses very derogatory to monarchic principles, as, giving the people authority to assemble together if the King failed to call them, and the like; yet his majesty, really intending to make those conventions frequent, without any great Feb. 16.
hesitation enacted those two bills together; so much to the seeming joy and satisfaction of both Houses that they pretended to have sufficiently provided for the indemnity of the commonwealth, and that there remained nothing to be done but such a return of duty and gratitude to the King as might testify their devotions, and that their only end was to make him glorious: but those fits of zeal and loyalty never lasted long.

cf Baillie I 291.

81[2]. The lord Finch's flight made not only that place vacant but begat several other vacancies. The Seal was given to Jan. 23.
Littleton, who was then Chief Justice of the Common Pleas, for which place he was excellently fitted, but, being a man of a grave and comely presence, his other parts were overvalued, his learning in the law being his masterpiece. And so he was chosen to be Keeper upon the opinion and recommendation of the two great ministers under the cloud, who had before brought him to be a Privy Councillor whilst Chief Justice, to the no little jealousy of the lord Finch.

82. Banks, the Attorney-General, was weary enough of the inquisition that was made into the King's grants, and glad to be promoted to the Common Pleas. And Harbert, the Solicitor- Jan. 29.
general, who had sat all this time in the House of Commons awed and terrified with their temper, applying himself to Mr. Hambden and two or three of the other, without interposing or crossing them in any thing, longed infinitely to be out of that fire: and so the office of Attorney-general, which at any other time had been to be wished, was now most grateful, as it Jan. 29.
removed him from the other attendance, there being an in-

[1] [4 and 50 Edw. III, 1330 and 1376. An earlier enactment to the same effect had been made 5 Edw. II, 1311.]

[2] [§§ 81–92 are from the MS. of *Life*, pp. 112–115.]

1641 capacity put upon that place of sitting as a member in Parliament: and so he was called by writ to attend the House of Peers, where he sits upon the woolsack at the back of the judges.

83. From the time that there was no more fear of the archbishop of Canterbury nor the Lord Lieutenant of Ireland, nor of any particular men who were like to succeed them in favour, (all who had been active in the Court or in any service for the King being totally dispirited, and most of them to be disposed to any vile offices against him,) the Great Patriots thought they might be able to do their country better service if they got the places and preferments in the Court, and so prevented the evil counsels which had used to spring from thence. And they had a fast friend then there, the marquis of Hambleton, who could most dexterously put such an affair into agitation with the least noise, and prepare both King and Queen to hearken to it very willingly: and in a short time all particulars were well adjusted for every man's accommodation.

84. The earl of Bedford was to be Treasurer: in order to which the bishop of London had already desired the King to receive the staff into his hand, and give him leave to retire to the sole care of his bishopric; by which he wisely withdrew from the storm, and enjoyed the greatest tranquillity of any man of the three kingdoms throughout the whole boisterous and destroying time that followed, and lived to see a happy and blessed end of them, and died in great honour and glory. And so the Treasury was for the present put into commission. Mr. Pym was to be Chancellor of the Exchequer, which office the lord Cottington was likewise ready to surrender upon assurance of indemnity for the future. These two were engaged to procure the King's revenue to be liberally provided for and honourably increased and settled.

[1663 June 4.] May 19.

85. And that this might be the better done the earl of Bedford prevailed with the King, upon the removes mentioned before, to make Oliver St. John (who hath been often, and will be oftener, mentioned in this discourse) his Solicitor-general, which his majesty readily consented to, hoping [that], being a

Jan. 29.

gentleman of an honourable extraction (if he had been legiti- 1641
mate,) he would have been very useful in the present exigence to support his service in the House of Commons, where his authority was then great; at least, that he would be ashamed ever to appear in any thing that might prove prejudicial to the Crown. And he became immediately possessed of that office of great trust, and was so well qualified for it by his fast and rooted malignity against the government that he lost no credit with his party, out of any apprehension or jealousy that he would change his side: and he made good their confidence, not in the least degree abating his malignant spirit or dissembling it, but with the same obstinacy opposed every thing which might advance the King's service when he was his Solicitor as ever he had done before.

86. The lord Say was to be Master of the Wards, which place the lord Cottington was likewise to surrender for his quiet and security. And Denzil Hollis was to be Secretary of State, in the place of Secretary Wynnibank.

87. Thus far the intrigue for preferments was entirely complied with, and it is great pity that it was not fully executed, that the King might have had some able men to have advised him or assisted; which probably these very men would have done, after they had been so throughly engaged: whereas the King had none left about him in any immediate trust in business, (for I speak not of the duke of Richmond and some very few men more about his person who always behaved themselves honourably,) who either did not betray or sink under the weight or reproach of it.

88. But the earl of Bedford was resolved that he would not enter into the Treasury till the revenue was in some degree settled, and at least the bill for tonnage and poundage passed, with all decent circumstances and for life; which both he and Mr. Pimm did very heartily labour to effect, and had in their thoughts many good expedients by which they intended to raise the revenue of the Crown. And none of them were very solicitous to take their promotions before some other accommodations were provided for some of the rest of their chief companions,

1641 who would be neither well pleased with their so hasty advancement before them, nor so submissive in the future to follow their dictates.

89. Hambden was a man they could not leave unprovided for; and therefore there were several designs, and very far driven, for the satisfaction and promotion of him and Essex and Mandevill, and others, though not so fully concluded as those before mentioned. For the King's great end was, by these compliances, to save the life of the earl of Strafford and to preserve the Church from ruin: for nobody thought the archbishop in danger of his life. And there were few of the persons mentioned before who thought their preferments would do them much good if the earl were suffered to live; but in that of the Church, the major part even of those persons would have been willing to have satisfied the King, the rather because they had no reason to think the two Houses, or indeed either of them, could have been induced to have pursued the contrary. And so the continued and renewed violence in the prosecution of the earl of Strafford made the King well contented (as the other reasons prevailed with the other persons) that the execution of those promotions should be for a time suspended.

90. When there was a new occasion, upon the importunity of the Scots' commissioners, to procure more money, and the leading men who used to be forward in finding out expedients for supply seemed to despair of being able to borrow more, because the city was much troubled and disheartened to see the work of reformation proceed so slowly and no delinquents yet brought to justice, and that till some advance was made towards those longed-for ends there must be no expectation of borrowing more money from or in the city; Mr. Hyde[1] said, that he did not believe the thing to be so difficult as was pretended; that no man lent his money who did not gain by it, and that it was evident enough that there was plenty of money; and therefore he was confident if a small committee of the House were nominated, who, upon consultation between

[1] ['upon which Mr. Hyde,' MS.]

themselves, might use the name of the House to such men as were reputed to have money, they might prevail with them to lend as much as might serve for the present exigence. Whereupon the House willingly approved the motion, and named himself, Mr. Capel, sir John Strangewayes, and five or six more[1] whom they desired might be joined with them; who, the same or the next day, repaired into the city, resolving to apply themselves to no men but such who were of clear reputation in point of wisdom and sobriety of understanding, as well as of wealth and ability to lend. And after they had spoken together with four or five eminent men, they agreed to sever[2] and to confer severally with their particular acquaintance upon the same subject: many men choosing rather to lend their money than to be known to have it, and being very wary in their expressions except in private. 1641 Feb. 23.

91. When they had again communicated together, they found that the borrowing the money would be very easy; every man with whom they had conferred being ready and forward to lend the money upon their security who proposed, or to find a friend who should. Most of them in their private discourse said that there was money enough to be lent, if men saw there would be like to be any end of borrowing; but that it was an universal discomfort and discouragement to all men of estates and discretion to see two great armies still kept on foot in the kingdom at so vast a charge, when there remained no fear of a war, and that if a time were once appointed for the disbanding them there should not want money for the doing all that should be necessary in order to it. This answer satisfied them in all respects: and the next day Mr. Hyde reported to the House the success of their employment; that they had conferred with the most substantial and best reputed men of the city, who, by themselves and their friends, had promised to supply the money which was desired. And then he enlarged upon the temper they understood the city to be in, by the reports of those who might be reasonably supposed Feb. 24.

[1] [Nine more.]

[2] [Misread 'pair' in former editions.]

1641 to know it best; that it was indeed very much troubled and melancholic to see two armies kept on foot at so vast a charge within the bowels of the kingdom, when, God be thanked, all the danger of a war was removed; and that they who were very able to make good what they promised had frankly undertaken that if a peremptory day was appointed for being rid of those armies, there should not be want of money to discharge them.

92. The report was received with great applause by the major part of the House, as was reasonably collected by their countenance: but it was as apparent that the governing party was exceedingly perplexed with it, and knew not on a sudden what to say to it. If they embraced the opportunity to procure a supply of money which was really wanted, it would be too great a countenance to the persons who had procured it, and whose reputation they were willing to depress: besides, it would imply their approbation of what had been said of the disbanding, at least would be a ground of often mentioning and pressing it, and which, how grateful soever to most other men, was the thing they most abhorred. After a long silence, Mr. Hambden said, that the worthy gentlemen were to be much commended for the pains they had taken, of which he doubted not good use would be made; and so proposed that it might be well thought of, and the debate resumed the next [March 1?]. day; which could not be denied. The next day alderman Pennington (a man in highest confidence with the party, and one who insinuated all things to the Common Council which he was directed should be started there) began the discourse; and said, that 'the gentlemen who had been last in the city to borrow money had made a fair report, but that in the end of it there was *colloquintida;* that he could not find with what persons they had conferred about the temper of the city, nor that any considerable people troubled themselves with designing or wishing what the Parliament should do, which they knew to be wise enough to know what and when they were to do that which is best for the kingdom, and they acquiesced in their grave judgment'; and concluded that the money that

the House stood in need of, or a greater sum, was ready to be paid to whomsoever they would appoint to receive it. The House made itself very merry with the alderman's *colloquintida*, and called upon him to explain it; and so the debate ended, all men being well pleased to see the disorder they were in, and the pains they had taken to free themselves from it; which every day was renewed upon them, as the subject-matter afforded occasion; and they visibly lost much of the reverence which had been formerly paid to them. 1641

93[1]. About the beginning of March they began to make preparations for the trial of the earl of Strafford, who had then been about three months in prison under their accusation of high treason: and by this time, for their better supply in that work, a committee was come from the Parliament in Ireland to solicit matters concerning that kingdom. This committee (most of them being Papists, and the principal actors since in the rebellion) was received with great kindness, and, upon the matter, added to the committee for the prosecution of the earl of Strafford. So that now Ireland seemed no less intent upon the ruin of that unfortunate lord than England and Scotland, there being such a correspondence settled between Westminster and Dublin that whatsoever was practised in the House of Commons here was very soon after done likewise there. And as sir G. Ratcliffe was accused here of high treason, upon pretence of being a confederate with the earl in his treasons, but in truth that he might not be capable of giving any evidence on the behalf of him, and thereupon sent for into this kingdom, so all, or most, of the other persons[2] who were in any trust with the earl, and so privy to the grounds and reasons of the counsels there and only able to make those apparent, were accused by the House of Commons in that kingdom of high treason, under the general impeachment of endeavouring to subvert the fundamental laws of that kingdom and to introduce an arbitrary power: which served [the] turn there, 1640 Nov. 14. 1641 March 4.

[1] [§§ 93–141 are from the MS. of *Hist.*, pp. 42–51.]

[2] [Sir Rich. Bolton, Lord Chancellor, Bramhall bishop of Derry, and Sir Gerard Lowther, Chief Justice of the Common Pleas.]

1641 to secure their persons and to remove them from councils, as it had done here.

94. What seeds were then sown for the rebellion, which within a year after brake out in Ireland, by the great liberty and favour that committee found, who, for the good service against that lord, were hearkened to in all things that concerned that kingdom, shall be observed and spoken of at large hereafter.

95. Much time was spent in consideration of the manner of the trial, for they could find no precedent would fit their case. Whether it should be in the House of Peers? which room was thought too little for the accusers, witnesses, judges, and spectators. Who should prosecute? whether members chosen of the Commons or the King's Council? Whether the bishops (which were twenty-four in number, and like to be too tender-hearted in matter of blood, and so either to convert many or to increase a dissenting party too much) should have voices in the trial? Whether those who had been created peers since the accusation [was] carried up should be admitted to be judges? And lastly, whether the commoners who were to be present at the trial should sit uncovered? and whether any members of the House of Commons should be examined at the trial on the behalf of the earl? who had sent a list of names, and desired an order to that purpose.

March 13. 96. After much debate it was resolved that the trial should be in Westminster Hall, where seats should be built for the reception of the whole House of Commons, which together with the Speaker should be present: for they then foresaw that they might be put to ānother kind of proceeding than that they pretended; and (though with much ado) they consented to sit uncovered, lest such a little circumstance might disturb the whole design.

97. For the prosecution, they had no mind to trust the King's Council; who neither knew their secret evidence, or, being informed, were like to apply and press it so vigorously as the business would require: and therefore they appointed that committee which had prepared the charge to give in the

evidence, and in the name of all the Commons of England to prosecute the impeachment. 1641

98. For the bishops, after many bitter invectives, and remembering the faults of particular persons, and the Canons which seemed to involve the whole body, with sharpness and threats, they took the case to be so clear upon an old canon, (the only one they acknowledged for orthodox,) that '*clericus non debet interesse sanguini*'[1] that they were content to refer that to the House of Peers, as proper only for their determination. And this they did, not upon any confidence they had in the matter itself, whatever law or reason or canon they pretended, or in the Lords (the major part of whom, when any difference of opinion was, always dissented from their desires) but that they had a trick of doing their business by intimation; and they had a sure friend amongst the bishops, who had promised them seasonably to free them of that trouble.

99. And therefore they would not trust their lordships' own inclinations with the other point, of the new barons, which they knew would be controverted, but in plain terms demanded that no peer created since the day upon which the earl of Strafford was impeached for high treason, because they were involved as commoners in the making that accusation, should sit as judges at his trial[2].

100. For the earl's demand of an order to examine some members on his behalf upon matters of fact at his trial, after a long debate they left it only in the power of the persons themselves who were nominated to be examined if they would, (not without some smart animadversions that they should take heed what they did,) and refused to enjoin them; though the same had been done at their desire for the Lords of the Council, but that was against the earl, and so the less to be considered. March 20.

101. The Lords, in the absence of the Lord Keeper who was very sick, made choice of the earl of Arundel to preside and March 19.

[1] ['Judicium sanguinis agitare non licet.' Grat. *Decret.* II. cau. xxiii. qu. 8. c. 30.]

[2] [The Lords resolved on March 20 that such new peers 'may vote as judges here in this House in the same cause.']

1641 govern the court, being a person notoriously disaffected to the earl of Strafford.

March 2d. 102. And for the great business of the bishops, they were saved the labour of giving any rule (which, it may be, would have troubled them) by the bishop of Lincoln's standing up and moving, on the behalf of himself and his brethren, that they might be excused from being present at the trial, being ecclesiastical persons and so not to have their hands in blood; and such other reasons as, when they are examined, will be found very trivial.

[1637 July 11. 1639 Feb. 14.] 103. This bishop had been, by several censures in the Star-Chamber, imprisoned in the Tower, where he remained till after the beginning of this Parliament, and was then set at liberty upon the desire of the Lords, who knew him to be a mortal and irreconcilable enemy to the archbishop of Canterbury, and indeed had always been a puritan so far as to love none of the bishops and to have used all learned churchmen with great contempt and insolence; and yet he left no way unpractised to assure the King that he would do great matters in Parliament for his service if he might be at liberty. The next day after he came to the House of Peers the lord Say made that schismatical speech which he since printed[1], taking notice of some imputations laid on him by the archbishop of Canterbury that he should be [a] sectary, which nobody can doubt that reads that speech; yet he had no sooner done than that bishop rose, and made a large panegyric in his praise, and professed that he always believed his lordship to be as far from a sectary as himself. And when he found the great desire of the House of Commons to be freed from the bishops' votes in that trial, he never left terrifying them with the censure that hung over their heads for making the Canons till he persuaded them to ingratiate themselves by desiring to be excused in that matter, before an order should be made for their absence.

1640 Nov. 16.

[1] [*Two Speeches in Parliament, the first upon the bill against bishops' power* [&c.], *the other a declaration of himself touching the Liturgie, and separation;* 4°. Lond., printed for Thomas Underhill, 1641.]

104. This example of the bishops prevailed with some lords who had been created since the accusation to quit their right of judging; and amongst them the lord Littleton, who had been made a baron upon the desire of the earl of Strafford for that only reason that he professed if he were a peer he would (and indeed he could) do him notable service, was the first who quitted his right to judge, because he had been a commoner when the accusation was first brought up: but they who insisted upon their right, (as the lord Seymour and others,) and demanded the judgment of the House, were no more disturbed, but exercised the same power to the end as any of the other lords did: and so no doubt might the bishops too, if they would; for, though there might be some reason for their absence when the trial was, according to law, before and by his peers only, yet when that judgment was waived, and a bill of attainder brought up against him, their votes in that bill were as necessary and essential as of any other of the lords. And, it may be, their unseasonable, voluntary, unjust quitting it then, made many men less solicitous for the utter taking away that right after. But of that in its place. 1641 Feb. 18.

105. All things being thus prepared and settled, on Monday, the twenty-second of March, the earl of Strafford was brought to the bar in Westminster Hall; the Lords sitting in the middle of the hall in their robes, and the Commoners and some strangers of quality, with the Scotch commissioners and the committee of Ireland, on either side: there being a close box made at one end, at a very convenient distance for hearing, in which the King and Queen sat, untaken notice of, his majesty, out of kindness and curiosity, desiring to hear all that could be alleged; of which, I believe, he afterwards repented himself, when his having been present at the trial was alleged and urged to him as an argument for the passing the bill of attainder. March 22.

106. After his charge was read, and an introduction made, by Mr. Pimm, in which he called him '*the wicked earl*,' some member of the House of Commons, according to their parts assigned, being a lawyer, applied and pressed the evidence,

1641 with great license and sharpness of language, and, when the earl had made his defence, replied with the same liberty upon whatsoever he said, taking all occasions of bitterly inveighing against his person: which reproachful way of carriage was looked upon with so much approbation, that one of the managers (Mr. Palmer) lost all his credit and interest with them, and never recovered it, for using a decency and modesty in his carriage and language towards him; though the weight of his arguments pressed more upon the earl than all the noise of the rest.

Rushw. 213 et seq.

107. The trial lasted eighteen days; in which all the hasty or proud expressions or words he had uttered at any time since he was first made a Privy Councillor; all the acts of passion or power that he had exercised in Yorkshire, from the time that he was first President there; his engaging himself in projects in Ireland, as the sole making of flax and selling tobacco in that kingdom; his billeting of soldiers, and exercising of martial law in that kingdom; his extraordinary proceeding against the lord Mountnorris and the Lord Chancellor; his assuming a power of judicature at the Council-table to determine private interest and matter of inheritance; some rigorous and extrajudicial determinations in cases of plantation; some high discourses at the Council-table in Ireland, and some casual and light discourses at his own table and at public meetings; and, lastly, some words spoken in secret Council in this kingdom, after the dissolution of the last Parliament, were urged and pressed against him, to make good the general charge of an 'endeavour to overthrow the fundamental government of the kingdom, and to introduce an arbitrary power.'

108. The earl behaved himself with great show of humility and submission, but yet with such a kind of courage as would lose no advantage, and, in truth, made his defence with all imaginable dexterity, answering this, and evading that, with all possible skill and eloquence; and though he knew not till he came to the bar upon what parts of his charge they would proceed against him, or what evidence they would produce,

he took very little time to recollect himself, and left nothing 1641
unsaid that might make for his own justification.

109. For the business of Ireland, he complained much that, by an order from the committee which prepared his charge against him, all his papers in that kingdom by which he should make his defence were seized and taken from him; and, by virtue of the same order, all his goods, household stuff, plate, and tobacco (amounting, as he said, to £80,000) were likewise seized, so that he had not money to subsist in prison: that all those ministers of state in Ireland who were most privy to the acts for which he was questioned, and so could give the best evidence and testimony on his behalf, were imprisoned under the charge of treason. Yet he averred that he had behaved himself in that kingdom according to the power and authority granted by his commission and instructions, and according to the rules and customs observed by former Deputies and Lieutenants. That the monopolies of flax and tobacco had been undertaken by him for the good of that kingdom and benefit of his majesty: the former establishing a most beneficial trade and good husbandry, not before practised there, and the latter bringing a revenue of above £40,000 to the Crown, and advancing trade, and bringing no damage to the subject. That billeting of soldiers, (which was alleged to be treason, by a statute made in Ireland in the time of King Harry the Sixth[1],) 1440
and the exercising of martial law, had been always practised by the Lieutenants and Deputies of that kingdom, which he proved by the testimony and confession of the earl of Cork and the lord Wilmot, neither of which desired to say more for his behoof than inevitably they must. He said the Act of Parliament mentioned, of Henry the Sixth, concerned not him; it comprehending only the inferior subjects, and making it penal to them to billet soldiers, not the Deputy or supreme commander; if it did, that it was repealed by Poyning's Act, in the 11th year of Harry the Seventh[2]: however, if it were not, and 1494
that it were treason still, it was treason only in Ireland and not in England, and therefore that he could not be tried here for

[1] [18 Hen. VI. cap. 3.] [2] [10 Hen. VII. cap. 19.]

1641 it, but must be transmitted thither. He said the Council-table in Ireland had a large, natural, legal jurisdiction, by the institutions and fundamental customs of that kingdom, and had in all times determined matters of the same nature which it had done in his time: and that the proceedings there upon plantations had been with the advice of the judges, upon a clear title of the Crown, and upon great reason of state: and that the nature and disposition of that people required a severe hand and strict reins to be held upon them, and that being loosed, the Crown would quickly feel the mischief.

110. For the several discourses and words wherewith he was charged, he denied many, and explained and put a gloss upon others by the reasons and circumstances of the debate. One particular which they much insisted on, though it was spoken 1632 twelve [nine] years before, that he should say in the public hall Aug. 31. in York that 'the little finger of the prerogative should lie heavier upon them than the loins of the law,' he directly inverted; and proved, by two or three persons of credit, that he said (and the occasion made it probable, being upon the business of knighthood, which was understood to be a legal tax) 'the little finger of the law was heavier than the loins of the prerogative;' that imposition for knighthood amounting to a much higher rate than any act of the prerogative which had been exercised. 'However,' he said, 'he hoped no indiscretion, or unskilfulness, or passion, or pride of words, would amount to treason; and for misdemeanours, he was ready to submit to their justice.'

111. He made the least, that is, the worst, excuse, for those two acts against the lord Mountnorris and the Lord Chancellor; which indeed were powerful acts, and manifested a nature excessively imperious if not inclined to tyranny; and no doubt drew a greater dislike and terror from sober and dispassioned persons than all that was alleged against him. A servant of the earl's, one Ansloe [Annesley], (kinsman to Mountnorris,) attending on his lord during some fit of the gout, (of which he often laboured,) had by accident, or negligence, suffered a stool to fall upon the earl's foot, enraged with the pain whereof his lordship with a small cane struck Ansloe: this being merrily

spoken of at dinner, at a table where the lord Mountnorris was, 1641
(I think the Lord Chancellor's,) he said, 'the gentleman had a brother that would not have taken such a blow.' This coming some months after to the Deputy's hearing, he caused a council of war to be called, (the lord Mountnorris being an officer of the army;) where, upon an article of moving sedition and stirring up the soldier against the general, he was charged with those words formerly spoken at the Lord Chancellor's table. What defence he made I know not, for he was so surprised that he knew not what the matter was when he was summoned to that council: but the words being proved, he was deprived of his office (being then Vice-Treasurer) and his foot-company, committed to prison, and sentenced to lose his head. The office and company were immediately disposed of, and he imprisoned till the King sent him over a pardon, by which he was discharged with his life, all other parts of the sentence being fully executed.

112. This seemed to all men a most prodigious course of proceeding; that, in a time of full peace, a peer of the kingdom and a Privy Councillor, for an unadvised, passionate, mysterious word, (for the expression was capable of many interpretations,) should be called before a council of war, which could not be reasonably understood to have then a jurisdiction over such persons and in such cases, and, without any process or formality of defence, in two hours should be deprived of his life and fortune: the injustice whereof seemed the more formidable for that the lord Mountnorris was known for some time before to stand in great jealousy and disfavour with the earl: which made it looked on as a pure act of revenge; and gave all men warning how they trusted themselves in the territories where he commanded.

113. The earl discharged himself of the rigour and severity of the sentence, and laid it upon the council of war; where himself not only forbore to be present, but would not suffer his brother, who was an officer of the army, to stay there: he said that he had conjured the court to proceed without any respect of favour or kindness to him, and that as soon as he understood

1641 the judgment of the council, which was unanimous, he declared publicly, (which he had likewise done before,) that a hair of his head should not perish, and immediately wrote an earnest letter to his majesty for the procuring his pardon; which was by his majesty, upon his lordship's recommendation and mediation, granted accordingly, and thereupon the lord Mountnorris was set at liberty; though it is true he was after his enlargement not suffered to come for England. He concluded, 'that the lord Mountnorris was an insolent person, and that he took this course to humble him; and that he would be very well content that the same course might be taken to reform him, if the same care might likewise be that it might prove no more to his prejudice than the other had been to that lord.'

114. But the standers by made another excuse for him: the lord Mountnorris was a man of great industry, activity, and experience in the affairs of Ireland, having raised himself from a very private, mean condition (having been an inferior servant to the lord Chichester) to the degree of a viscount and a Privy Councillor, and to a very ample revenue in lands and offices; and had always by servile flattery and sordid application wrought himself into trust and nearness with all Deputies at their first entering upon their charge, informing them of the defects and oversights of their predecessors; and, after the determination of their commands and return into England, informing the State here, and those enemies they usually contracted in that time, of whatsoever they had done, or suffered to be done, amiss; whereby they either suffered disgrace or damage as soon as they were recalled from those honours. And in this manner he began with his own master, the lord Chichester; and continued the same arts upon the lord Grandison and the lord Falkland, who succeeded; and, upon that score, procured admission and trust with the earl of Strafford upon his first admission to that government: so that this dilemma seemed unquestionable, that either the Deputy of Ireland must destroy my lord Mountnorris whilst he continued in his office, or my lord Mountnorris must destroy the Deputy

as soon as his commission was determined, which usually lasted not above six years. And upon this consideration, besides that his no virtue made him unpitied, many looked with less concernedness upon that act than the matter itself in the logic of it deserved. 1641

115. The case of the Lord Chancellor seemed to common understandings an act of less violence, because it concerned not life, and had some show of formality at least, if not regularity, in the proceeding; and that which was amiss in it took its growth from a nobler root than the other, by how much love is a more honourable passion than revenge. The endeavour was to compel the Lord Chancellor to settle more of his land, and in another manner, upon his eldest son, than he had a mind to, and than he could legally be compelled to do: this the earl, upon a paper petition preferred to him by the wife of that son, (a lady of whom the earl had so great a value and esteem that made his justice the more suspected,) pressed, and in the end ordered him to do. The Chancellor refused; was committed to prison; and, shortly after, the Great Seal taken from him, which he had kept with great reputation of ability for the space of above twenty years. In the pressing this charge, many things of levity, (as certain letters of great affection and familiarity from the earl to that lady, which were found in her cabinet after her death, for she was lately dead,) others of passion, were exposed to the public view; to procure prejudice rather to his gravity and discretion than that they were in any degree material to the business. 1639 May 27.

116. The earl said little more to it than that he hoped, what passion soever or what injustice soever might be found in that proceeding and sentence, there would be no treason: and that, for his part, he had yet reason to believe what he had done was very just, since it had been reviewed by his majesty and his Privy Council here, upon an appeal from the lord viscount Ely, (the degraded Lord Chancellor,) and upon a solemn hearing there, which took up many days, it had received a confirmation. 1639 Nov. 19.

117. But the truth is, that rather accused the earl of an

1641 excess of power than absolved him of injustice; for most men that weighed the whole matter believed it to be a high act of oppression, and not to be without a mixture of that policy which was spoken of before in the case of the lord Mountnorris: for the Chancellor, being a person of great experience, subtlety, and prudence, had been always very severe to departed Deputies, and not over agreeable, or in any degree submiss, to their full power; and, taking himself to be the second person of the kingdom during his life, thought himself little less than equal to the first, who could naturally hope but for a term of six years in that superiority: neither had he ever before met with the least check that might make him suspect a diminution of his authority, dexterity, or interest.

118. That which was with most solemnity and expectation alleged against the earl, as the hinge upon which the treason was principally to hang, was a discourse of the earl's in the Committee of State (which they called *the Cabinet Council*) upon the dissolution of the former Parliament. Sir Harry Vane, the Secretary of State, gave in evidence 'that the King at that time calling that Committee to him, asked them, since he failed of the assistance and supply he expected by subsidies, what course he should now take? that the earl of Strafford answered, Sir, you have now done your duty, and your subjects have failed in theirs; and therefore you are absolved from the rules of government, and may supply yourself by extraordinary ways; you must prosecute the war vigorously; you have an army in Ireland, with which you may reduce this kingdom.'

119. The earl of Northumberland being examined, for the confirmation of this proof, remembered only that the earl had said, 'You have done your duty, and are now absolved from the rules of government;' but not a word of the army of Ireland or reducing this kingdom. The lord marquis Hambleton, the lord bishop of London, and the lord Cottington, being likewise examined, answered upon their oaths that 'they heard none of those words spoken by the earl.' And these were the only persons present at that debate, save only

the archbishop of Canterbury and Secretary Winnibank, neither of which could be examined, or would be believed. 1641

120. The earl positively denied the words; alleged much animosity to be in sir H. Vane towards him; and observed that not one of the other witnesses, who were likewise present, and as like to remember what was spoken as the Secretary, heard one word of the Irish army or reducing this kingdom: that, if he had spoken those words, it could not be understood to be spoken of England but of Scotland, of which the discourse was, and for which that army was known to be raised. He concluded that if the words were spoken by him, which he expressly denied, they were not treason; and if they were treason, that, by a statute made in Edward the Sixth's time[1], 1547 one witness was not sufficient to prove it, and that here was but one.

121. Seventeen days being spent in these skirmishes, the earl, having defended himself with wonderful dexterity and ability, concluded, that if the whole charge (in which he hoped Apr. 13. he had given their lordships satisfaction of his loyalty and integrity, how great soever his infirmities were) was proved, that the whole made him not guilty of high treason; and to that purpose desired, that his learned counsel might be heard; and most pathetically conjured their lordships that, for their own sakes, they would not, out of displeasure or disfavour towards his person, create a precedent to the prejudice of the peerage of England, and wound themselves through his sides; which was good counsel, and hath been since (though too late) acknowledged to be so.

122. The next day his counsel was heard in the same place Apr. 17. to the matter of law. And here I cannot pass by an instance of as great animosity, and indirect prosecution, in that circumstance of assigning him counsel as can be given. After the House of Peers had assigned him such counsel as he desired, to assist him in matter of law, (which never was, or can justly be, denied to the most scandalous felon, the most inhuman murderer, or the most infamous traitor,) the House of

[1] [1 Edw. VI. cap. 12.]

1641 Commons, upon some occasion, took notice of it with passion and dislike; some unskilfully, that such a thing should be done without their consent, which was no more than that the judge should be directed by the prosecutor in what manner to proceed and determine; others with much bitterness inveighing against 'the presumption of those lawyers, that durst be of counsel with a person accused by them of high treason,' and moving 'that they might be sent for, and proceeded against for that contempt:' whereas they were not only obliged to it by the honour and duty of their profession, but had been punishable for refusing to submit to the Lords' order. The matter was too gross to receive any public order, and so the debate ended; but served (and no doubt that was the intention) to let those gentlemen know how warily they were to demean themselves, lest the anger of that terrible congregation should be kindled against them.

123. But truly I have not heard that it made any impression upon those persons; it did not, I am sure, upon Mr. Lane, who argued the matter of law for the earl. The matters which were by him principally insisted on, and averred with such confidence as a man uses who believes himself, were these:—

124. '1. That by the wisdom and tenderness of Parliaments, which knew that there could not be a greater snare for the subject than to leave the nature of treason undefined and unlimited, all treasons were particularly mentioned and set
1351 down in the statute of the 25 Edw. III. *de proditionibus*. That nothing is treason but what is comprehended with[in] that statute; all treasons before that statute, as killing the King's uncle, his nurse, piracy, and divers others, being restrained and taken away by the declaration of that Act. And that no words or actions in any of the articles of the earl of Strafford's charge did amount to treason within that statute.

125. '2. That by reason of the clause in that statute of *declaring treason in Parliament*, divers actions were declared to
1397–8 be treasons in Parliament in the time of King Richard the Second, to the great prejudice of the subject. It was there-

fore specially provided and enacted by a statute in the first 1641
year of the reign of King H[enry] the Fourth, chapter the 1399
tenth, which is still in force, that nothing should be declared and adjudged treason but what was ordained in that statute of the 25 Edw. III, by which statute all power of declaring new treasons in Parliament was taken away; and that no precedent of any such declaration in Parliament can be shewed since that time: all new treasons made by any act of Parliament in the reign of King H[enry] the Eighth being by the statute of the first year of Queen Mary, chapter the first, taken 1553
away, and restrained by the 25th Edw. III, and likewise that, by another statute of the first year of Queen Mary, chapter the tenth, all trials of treasons ought to be according to the rules of the common law, and not otherwise.

126. '3. That the foundation upon which the impeachment was framed was erroneous; for that (besides that it was confessed on all hands that the laws of the kingdom were not subverted) an endeavour to subvert the fundamental laws and statutes of the realm, by force attempted, is not treason, being only made felony by the statute of the first year of Queen Mary, chapter the twelfth; which is likewise expired. That cardinal Wolsey, in the 33rd year of King H[enry] the 1529
Eighth, was indicted only of a *præmunire*, for an endeavour to 21 Hen. VIII.
bring in the imperial laws into this kingdom. And that an endeavour, or intention, to levy war was made treason only by a statute of the 13th Elizabeth[1], (a time very inquisitive for 1570
treason,) which expired with her life.

127. '4. Lastly, that, if any thing was alleged against the earl which might be penal to him, it[2] was not sufficiently and legally proved; for that by the statute of the first year of King Edw. the Sixth, chapter the twelfth, no man ought to be arraigned, indicted, or condemned, of any treason unless it be upon the testimony of two lawful and sufficient witnesses, produced in the presence of the party accused, unless the party confess the same: and if it be for words, within three months after the same spoken, if the party be within the kingdom:

[1] [cap. 1.]

[2] ['that it,' MS.]

1641 whereas there was in this case only one witness, sir H. Vane, and the words spoken six months before.'

128. The case being thus stated on the earl's behalf, the judgment of the Lords, in whom the sole power of judicature was conceived to be, was by all men expected; the House of Commons having declared that they intended not to make any reply to the argument of law made by Mr. Laue, it being below their dignity to contend with a private lawyer. Indeed they had a more convincing way to proceed by; for the next day [1] after that argument, sir Arthur Haslerigge, (brother-in-law to the lord Brooke, and an absurd, bold man, brought up by Mr. Pimm, and so employed by that party to make any attempt,)
Apr. 10. preferred a bill in the House of Commons for the attainder of the earl of Strafford of high treason: it being observed that, by what the earl had said for himself in the matter of fact, and in matter of prudence of the consequence of such an extraordinary proceeding, and by what had been said for him in the point of law, most sober men, who had been and still were full enough of dislike and passion against the earl, were not at all satisfied in the justice of the impeachment or in the manner of the prosecution; and therefore, that the House of Peers, which consisted of near one hundred and twenty, besides the bishops, and of whom fourscore had been constantly attending the trial, were not like to take upon them the burden of such a judgment as was expected.

129. The bill was received with wonderful alacrity, and
Apr. 10, 14, 17. immediately read the first and the second time, and so committed; which was not usual in Parliaments except in matters of great concernment and conveniency in the particular, and of little importance or moment to the general; those who at first consented, upon slight information, to his impeachment, upon no other reason but (as hath been said before) because they were only to accuse and the Lords to judge, and so thought to be troubled no more with it, being now as ready to judge as they had been to accuse, finding some new reasons to satisfy themselves, of which one was, 'they had gone too far to sit still or retire.'

[1] [a week before.]

130. A day or two before[1] the bill of attainder was brought into the House of Commons there was a very remarkable passage, of which the pretence was to make one witness, with divers circumstances, as good as two; though I believe it was directed in truth to an end very foreign to that which was proposed. The words of the earl of Strafford, by which his 'endeavour to alter the frame of government, and his intention to levy war' should principally appear, were proved singly by sir Henry Vane, which had been often averred and promised should be proved by several witnesses; and the law was clear that less than two witnesses ought not [to] be received in case of treason. 1641 Apr. 10.

131. To make this single testimony appear as sufficient as if it had been confirmed by more, Mr. Pimm informed the House of Commons [of] the grounds upon which he first advised that charge, and was satisfied that he should sufficiently prove it. 'That some months before this beginning of this Parliament he had visited young sir Harry Vane, eldest son to the Secretary, who was then newly recovered from an ague; that being together, and condoling the sad condition of the kingdom by reason of the many illegal taxes and pressures, sir Harry told him, if he would call upon him the next day he would shew him somewhat that would give him much trouble, and inform him what counsels were like to be followed to the ruin of the kingdom; for that he had, in perusal of some of his father's papers, accidentally met with the result of the Cabinet Council upon the dissolution of the last Parliament, which comprehended the resolutions then taken.

132. 'The next day he shewed him a little paper of the Secretary's own writing, in which was contained the day of the month, and the results of several discourses made by several Councillors, with several hieroglyphics which sufficiently expressed the persons by whom those discourses were made. The matter was of so transcendent a nature, and the counsel so prodigious, with reference to the commonwealth, that he desired he might take a copy of it; which the young 1640 May 5.

[1] [on the same day.]

1641 gentleman would by no means consent to, fearing it might prove prejudicial to his father. But when Mr. Pimm informed him that it was of extreme consequence to the kingdom, and that a time might probably come when the discovery of this might be a sovereign means to preserve both Church and State, he was contented that Mr. Pimm should take a copy of it; which he did in the presence of sir H. Vane, and, having examined it together, delivered the original again to sir Harry.' He said that 'he had carefully kept this copy by him, without communicating the same to any body, till the beginning of this Parliament, which was the time he conceived fit to make use of it; and that then meeting with many other instances of the earl's disposition to the kingdom it satisfied him to move whatsoever he had moved against that great person.'

133. And, having said thus much, he read the paper in his hand[1]; in which the day of the month was set down, and his majesty to be present, and stating the question to be, 'What was now to be done? since the Parliament had refused to give subsidies for the supply of the war against Scotland.' There were then written two *LL*'s and a *t* over it, and an *I* and an *r*, which was urged could signify nothing but 'Lord Lieutenant of Ireland;' and the words written and applied to that name were, 'Absolved from rules of government;—Prosecute the war vigorously;—an army in Ireland to subdue this kingdom—;' which was urged to comprehend the matter of the earl's speech and advice: that paper by fractions of words (without mentioning any formed speech) containing only the results of the several Councillors' advice. Before those letters which were ordered to signify the Lieutenant of Ireland, were an *A.B.C.G.* which

[1] [Printed from a copy (possibly Pym's own) preserved amongst the MSS. in the House of Lords, *verbatim et literatim*, in the Appendix to the *Third Report of the Commission on Historical MSS.*, 1872, p. 3. The contractions there given are 'LL. Jr.', 'L. Ad.', 'L. Arch.', and 'L. Cott.', but there is nothing for the marq. of Hamilton. The words quoted in the text from Strafford's observations are given thus: 'obsolved (*sic*) from all rules of government;—goe on with a vigorous warr; you have an army in Ireland, you may imploy here to reduce this kingdome.' The Lord Admiral's words only refer to the difficulty of doing anything without money.]

might be understood to signify, 'the archbishop of Canterbury 1641
his grace;' and at those letters, some short, sharp expressions against Parliaments, and thereupon fierce advice to the King. Next in the paper, was an *M* with an *r* over, and an *Ho*, which were to be understood for marquis Hambleton, who was 'Master of the Horse;' and the words annexed thereunto seemed to be rough, but without a supplement signified nothing. Then there was an *L*, an *H*, and an *A*, which must be interpreted for 'Lord High Admiral,' which was the earl of Northumberland; and from that hieroglyphic proceeded only a few words, which implied advice to the King to be advised by his Parliament. Then there was '*L^d Cott.*' (which would easily be believed to signify the lord Cottington) with some expressions as sharp as those applied to the Lieutenant of Ireland.

134. When he had read this paper he added, 'That though there was but one witness directly in the point, sir H. Vane the Secretary, whose handwriting that paper was whereof this was a copy, yet he conceived those circumstances of his and young sir H. Vane's having seen those original results, and being ready to swear that the paper read by him was a true copy of the other, might reasonably amount to the validity of another witness: and that it was no wonder that the other persons mentioned in that writing, who had given as bad counsel, would not remember for their own sakes what had passed in that conference; and that the earl of Northumberland (who was the only good counsellor in the pack) had remembered some of the words of a high nature, though he had forgotten the other.'

135. When Mr. Pimm had ended, young sir H. Vane rose in some seeming disorder, confessed all that the other had said, and added, 'That his father, being in the North with the King the summer before, had sent up his keys to his secretary then at Whitehall; and had written to him, his son, that he should take from him those keys which opened his boxes where his writings and evidences of his land were, to the end that he might cause an assurance to be perfected which concerned his wife; and that he, having perused those evidences and

1641 despatched what depended thereupon, had the curiosity to desire to see what was in a red velvet cabinet which stood with the other boxes, and thereupon required the key of that cabinet from the secretary, as if he still wanted somewhat towards the business his father had directed; and so having gotten that key, he found, amongst other papers, that mentioned by Mr. Pimm which made that impression in him that he thought himself bound in conscience to communicate it to some person of better judgment than himself, who might be more able to prevent the mischiefs that were threatened therein, and so shewed it to Mr. Pimm; and being confirmed by him that the seasonable discovery thereof might do no less than preserve the kingdom, had consented that he should take a copy thereof, which to his knowledge he had faithfully done; and thereupon had laid the original in its proper place again in the red velvet cabinet.' He said, he knew this discovery would prove little less than his ruin in the good opinion of his father; but having been provoked by the tenderness of his conscience towards his common parent, his country, to trespass against his natural father, he hoped he should find compassion from that House, though he had little hope of pardon elsewhere.'

136. The son no sooner sat down than the father (who, without any counterfeiting, had a natural appearance of sternness) rose, with a pretty confusion, and said that 'the ground of his misfortune was now discovered to him; that he had been much amazed when he found himself pressed by such interrogatories as made him suspect some discovery to be made by some person as conversant in the counsels as himself: but he was now satisfied to whom he owed his misfortunes; in which, he was sure, the guilty person should bear his share. That it was true, being in the North with the King, and that unfortunate son of his having married a virtuous gentlewoman, (daughter to a worthy member then present,) to whom there was somewhat in justice and honour due which was not sufficiently settled, he had sent his keys to his secretary, not well knowing in what box the material writings lay, and directed him to suffer his son to look after those evidences which were necessary: that by this occa-

sion, it seemed, those papers had been examined and perused 1641
which had begot much of this trouble. That for his part, after the summons of this Parliament and the King's return to London, he had acquainted his majesty that he had many papers remaining in his hands of such transactions as were not like to be of further use; and therefore, if his majesty pleased, he would burn them, lest by any accident they might come into hands that might make an ill use of them; to the which his majesty consenting, he had burned many, and amongst those, the original results of those debates of which that which was read was pretended to be a copy: that to the particulars he could say nothing more than what he had upon his examination expressed, which was exactly true, and he would not deny; though by what he had heard that afternoon (with which he was surprised and amazed) he found himself in an ill condition upon that testimony.'

137. This scene was so well acted, with such passion and gestures, between the father and the son, that many speeches were made in commendation of the conscience, integrity, and merit of the young man, and a motion made 'that the father might be enjoined by the House to be friends with his son:' but for some time there was in public a great distance observed between them.

138. Many men wondered very much at the unnecessary relation of this story, which would visibly appear very ridiculous to the world, and could not but inevitably produce much scandal and inconvenience to the father and the son, who were too wise to believe that those circumstances would add any thing to the credit of the former single testimony: neither was there ever after any mention of it in public, to move the judgment of those who were concerned to be satisfied in what they were to do: and therefore some, who observed the stratagems used by that party to compass their own private ends, believed that this occasion was taken to publish those results only to give the lord Cottington notice in what danger he was, that so he might wisely quit his Mastership of the Wards to the lord Say, who expected it, and might be able by that obligation to protect

1641 him from farther prosecution: and so that they meant to sacrifice the reputation of the Secretary to the ambition of the lord Say. But without doubt (though this last consideration was very powerful with them) the true reason of the communication of this passage was, that they found it would be impossible to conceal their having received the principal information from the Secretary for their whole prosecution, by reason some of the committee who were intrusted to prepare the charge against the earl of Strafford, and consequently were privy to that secret, were fallen from them, at least from their ends; and therefore they thought fit to publish this history of their intelligence, that it might be rather imputed to the conscience and curiosity of the son than to the malice and perjury of the father.

Digby votes against Bill of Attainder

139. The bill of attainder in few days passed the House of Commons; though some lawyers of great and known learning declared that there was no ground or colour in law to judge him guilty of high treason; and the lord Digby (who had been, from the beginning, of that committee for the prosecution, and had much more prejudice than kindness to the earl) in a very pathetical speech[1] declared that he could not give his consent to the bill, not only for that he was unsatisfied in the matter of law, but for that he was more unsatisfied in the matter of fact; those words upon which the impeachment was principally grounded being so far from being proved by two witnesses that he could not acknowledge it to be by one; since he could not admit sir Harry Vane to be a competent witness, who being first examined denied that the earl spake those words, and upon his second examination remembered some, and at his third the rest of the words: and thereupon related many circumstances, and made many sharp observations upon what had passed, which none but one of the committee could have done: for which he was presently after questioned in the House, but made his defence so well, and so much to the disadvantage of those who were concerned, that from that time they prosecuted him with an implacable rage and uncharitableness upon all occasions.

Apr. 21. The bill passed with only fifty-nine dissenting voices, there being

[1] [Rushworth, iii. 225–8.]

near 200[1] in the House; and was immediately sent up to the Lords, with this addition, 'that the Commons would be ready the next day in Westminster Hall, to give their lordships satisfaction in the matter of law, upon what had passed at the trial.' 1641

140. The earl was then again brought to the bar; the Lords sitting as before, in their robes, and the Commons as they had done; amongst them, Mr. St. John (whom his majesty had made his Solicitor-general since the beginning of the Parliament,) from his place argued for the space of near an hour the matter of law. Of the argument itself I shall say little, it being in print and in many hands; I shall only remember two notable propositions, which are sufficient characters of the person and the time. Lest what had been said on the earl's behalf in point of law and upon the want of proof should have made any impression in their lordships, he averred that 'in that way of bill private satisfaction to each man's conscience was sufficient, although no evidence had been given in at all:' and as to the pressing the law, he said, 'It was true we give law to hares and deer, because they be beasts of chase; but it was never accounted either cruelty, or foul play, to knock foxes and wolves on the head as they can be found, because they be beasts of prey[2].' In a word, the law and the humanity were alike; the one being more fallacious, and the other more barbarous, than in any age had been vented in such an auditory. Apr. 29. Jan. 29.

141. The same day, as a better argument to the Lords speedily to pass the bill, the nine and fifty members of the House of Commons, who (as is said before) had dissented from that act, had their names written in pieces of parchment or paper, under this superscription, *Straffordians, or enemies to their country*[3],' and those papers fixed upon posts and other the most visible places about the city; which was as great and destructive a violation of the privileges and freedom of Parliament as can be imagined: yet, being complained of in the House, not

[1] [nearer 300; yeas, 204, noes, 59.]

[2] [Rushworth's *Trial of Strafford*, p. 703.]

[3] ['Straffordians, betrayers of their country;' Rushworth, iii. 248, where the list of the names is given.]

1641 the least countenance was given to the complaint, or the least care taken for the discovery.

142. [1] The persons who had still the conduct of the designs began to find that their friends abroad (of whose help they had still great need, for the getting petitions to be brought to the House, and for all tumultuous appearances in the city, and negotiations with the Common Council) were not at all satisfied with them for their want of zeal in the matter of religion; and, though they had branded as many of the bishops and others of the prelatical party as had come in their way, and received all petitions against the Church with encouragement, yet that there was nothing done, or visibly in projection to be done, towards lessening their jurisdiction, or indulging any of that liberty to their weak brethren which they had from the beginning expected from them. And then the discourse of their ambition, and hopes of preferment at Court, was grown public, and raised much jealousy of them.

143. But the truth is, they who had made in their hearts the most destructive vows against the Church never durst communicate their bloody wishes to their best friends, whose authority gave them their greatest credit. For, besides that their own clergy, (whose hands they produced in great numbers to complaints against the innovations, which had, as they said, been introduced, and against the ceremonies, which had been in constant practice since the Reformation as well as before,) were far from being of one mind in the matter or manner of what they wished should be altered, (as appeared whenever they appeared before the House or a committee, when any of them were asked questions they did not expect,) there was less consent amongst their lay friends in ecclesiastical affairs than amongst the other.

144. The earl of Bedford had no desire that there should be any alteration in the government of the Church, and had always lived towards my lord of Canterbury himself with all respect and reverence, and frequently visited and dined with him, subscribed liberally to the repair of St. Paul's church, and seconded

[1] [§§ 142–165 from the MS. of the *Life*, pp. 115–121.]

all pious undertakings: though it is true he did not discounten- 1641
ance notoriously those of the clergy who were unconformable.

145. The earl of Essex was rather displeased with the person of the archbishop and some other bishops than indevoted to the function; and towards some of them he had great reverence and kindness, as bishop Mourton, bishop Hall, and some other of the less formal and more popular prelates: and he was as much devoted as any man to the Book of Common Prayer, and obliged all his servants to be constantly present with him at it, his household chaplain being always a most conformable man and a good scholar.

146. In truth, in the House of Peers there were only at that time taken notice of the lords Say and Brooke, and they believed to be positive enemies to the whole fabric of the Church, and to desire a dissolution of that government; the earl of Warwick himself having never discovered any aversion to episcopacy, and much professed the contrary.

147. In the House of Commons, though, of the chief leaders, Nathaniel Fynes and young sir H. Vane, and shortly after Mr. Hambden (who had not before owned it), were believed to be for 'root and branch,' (which grew shortly after a common expression, and discovery of the several tempers,) yet Mr. Pimm was not of that mind, nor Mr. Hollis, nor any of the Northern men, or those lawyers who drove on most furiously with them: all who were pleased with the government itself of the Church.

Bishops' Exclusion Bill

148. The first design that was entertained against the Church, and which was received in the House of Commons with a visible countenance and approbation of many who were neither of the same principles or purposes, was a short bill that was brought in to take away the bishops' votes in Parliament and to leave March 30.
them out in all commissions of the peace and with relation to any temporal affairs. This was contrived with great deliberation and preparation to dispose men to consent to it, and to this many of the House of Peers were much disposed, and amongst them none more than the earl of Essex and all the popular lords; who observed that they seldom carry any thing

1641 which directly opposed the King's interest by [reason of] the number of the bishops, who for the most part unanimously concurred against it, and opposed many of their other designs: and they believed that it could do the Church no harm by the bishops' having fewer diversions from their spiritual charges[1].

149. In the House of Commons they used that and other arguments to remove the prejudice from it; and, as there were many who were persuaded that the passing that bill would be no prejudice and were as unwilling that the bishops should be justices of peace and in any other secular commissions as the lords were that they should sit[2] with them, so they prevailed with others, who heartily desired that there might be no such diminution of their honour and authority, by persuading them that there was so great concurrence towards the passing this bill, and so great a combination throughout the nation against the whole government of the Church and a resolution to destroy it absolutely: in which the Scots were so resolutely engaged that they discoursed in all companies that it was impossible for a firm peace to be preserved between the nations if bishops were not taken away, and that the army would never march out of the kingdom till that were brought to pass: but that if this bill were once passed, a greater number in both Houses would be so well satisfied that the violenter party would be never able to prosecute their desires. And this reason did prevail over many men of excellent judgments and unquestionable affections, who did in truth at that time believe that the passing this Act was the only expedient to preserve the Church: insomuch as when it was brought into the House it found a better reception than was expected, and some men, who others thought would have opposed it, spake on its behalf, expressing their desire that it might pass.

150. There was a difference in opinion in this debate between two persons who had been never known to differ in the House,

[1] [Compare with §§ 148–9 and 153–6 the parallel account from the MS. of the *Hist.* of the two bills against episcopacy, given in the note to § 231.]

[2] ['not sit,' MS.]

and the entire friendship they had for each other was very remarkable; which administered much pleasure to very many who loved neither of them. When the bill was put to the question, Mr Hyde (who was from the beginning known to be an enemy to it) spake very earnestly for the throwing it out; said, 'It was changing the whole frame and constitution of the kingdom, and of the Parliament itself: that from the time that Parliaments began there had never been one Parliament when the bishops were not part of it: that if they were taken out of the House, there would be but two estates left[1]; for that they as the clergy were the third estate, and being taken away, there was nobody left to represent the clergy: which would introduce another piece of injustice, which no other part of the kingdom could complain of, who were all represented in Parliament, and were therefore bound to submit to all that was enacted because it was upon the matter with their own consent: whereas, if the bishops were taken from sitting in the House of Peers, there was nobody who could pretend to [re]present the clergy; and yet they must be bound by their determinations.' 1641

151. When he had done, the lord Falkland, who always sat next to him, (which was so much taken notice of, that if they came not into the House together, as usually they did, every body left the place for him that was absent,) suddenly stood up, and declared himself to be of another opinion; and that, 'as he thought the thing itself to be absolutely necessary for the benefit of the Church, which was in so great danger, so he had never heard that the constitution of the kingdom would be violated by the passing that Act; and that he had heard many of the clergy protest that they could not acknowledge that they were [re]presented by the bishops. However, we might presume that if they could make that appear, that they were a third estate, that the House of Peers (amongst whom they sat and had yet their votes) would reject it.' And so, with some facetiousness answering some other particulars, concluded for the passing the Act.

[1] ['left out,' MS.]

1641 152. The House was so marvellously delighted to see the two inseparable friends divided in so important a point, that they could not contain from a kind of rejoicing, and the more because they saw Mr. Hyde was much surprised with the contradiction; as in truth he was, having never discovered the least inclination in the other towards such a compliance: and therefore they entertained an imagination and hope that they might work the lord Falkland to a farther concurrence with them. But they quickly found themselves disappointed, and that, as there was not the least interruption of the close friendship between the other two, so, when the same argument came again into debate about six months after, the lord Falkland changed his opinion, and gave them all the opposition he could: nor was he reserved in acknowledging that he had been deceived, and by whom, and confessed to his friends, with whom he would deal freely, that Mr. Hambden had assured him that if that bill might pass there would be nothing more attempted to the prejudice of the Church: which he thought, as the world then went, would be no ill composition.

153. This bill for taking away the bishops' votes out of the House of Peers produced another discovery, which cast the conductors farther behind than they were advanced by their conquest amongst the Commons, and disquieted them much more than the other had exalted them. How currently soever May 1. it had passed in the Lower House, when it was brought to the Upper the Lords gave it not so gracious a reception as was expected: many of the greatest men of that House grew weary of the empire which the others had exercised over them, and some who had gone with them, upon their observation that they had worse designs than they owned, fell from them, and took the opportunity to discover themselves upon the debate of this bill; against which they inveighed with great sharpness, and blamed the House of Commons for presuming to meddle with an affair that so immediately concerned them: that if they might send up a bill this day at once to take out one whole bench from the House, as this would do the bishops, they might to-morrow send another to take away the barons,

or some other degree of the nobility: with many more argu- 1641
ments, as the nature of the thing would easily administer, with such warmth and vigour as they had not before expressed: insomuch as (—though the other party, which had not hitherto been withstood, set up their rest upon the carrying it, supplying their other arguments with that, 'How much the House of Commons, which best knew the temper and expectation of the nation, would resent their not concurring with them in a remedy they judged so necessary; and what the consequence might be of such a breach between the two Houses they trembled to think, since the kingdom had no hope of being preserved but by their union and the effects of their wisdom, in removing all things and all persons out of the way which are like to obstruct such a thorough reformation as the kingdom needs and expects;' all which prevailed so little, that—) the House could not be prevailed with so much as to commit the bill, (a countenance they frequently give to bills they never intend to pass,) but at the second reading it[1] they utterly cast June 8.
it out.

154. This unexpected and unimagined act cast such a damp upon the spirits of the governing party in both Houses that they knew not what to do. The mischiefs which were in view by this discovery of the temper of the House of Peers had no bottom; they were not now sure that they should be able to carry any thing, for the major part which threw out this bill might cross them in any thing they went about: besides the influence it would have in the House of Commons and every where else; for they very well knew how many of their followers therefore followed them because they believed they would carry all before them.

155. However, that their spirits might not be thought to fail, they made haste to proceed in all the angry and choleric things before them, to the trial of the earl of Strafford, impeaching several bishops for innovations, and the like; the House of Commons being very diligent to kindle those fires which might warm the Peers. And that the bishops might

[1] [on the third reading: *Lords' Journals.*]

1641 see how little they had gotten by obstructing the other bill, they prepared a very short bill for the utter eradication of bishops, deans, and chapters, with all chancellors, officials, and all officers and other persons belonging to either of them: which they prevailed with sir Edward Deering, (a man very opposite to all their designs, but a man of levity and vanity, May 27. easily flattered by being commended,) [to deliver,] who presented it to the House from the gallery with the two verses in Ovid the application whereof was his greatest motive;

> *Cuncta prius tentanda, sed immedicabile vulnus*
> *Ense recidendum est, ne pars sincera trahatur*[1].

He took notice 'of the great moderation and candour of the House, in applying so gentle a remedy by the late bill to retrench the exorbitances of the clergy, hoping that [by] the pruning and taking off a few unnecessary branches from the trunk the tree might prosper the better, that this mortification might have mended their constitution, and that they would the more carefully have intended their health: but that this soft remedy had proved so ineffectual that they were grown more obstinate and incorrigible; so that it was now necessary to put the axe to the root of the tree;' and thereupon desired that the bill might be read.

156. As soon as the title of it was read, (which was almost as long as the bill itself[2],) Mr. Hyde moved with great warmth, 'that the bill might not be read: that it was against the custom and rule of Parliament that any private person should take upon him, without having first obtained the leave and direction of the House, to bring in a new act so much as to abrogate and abolish any old single law; and therefore that it was a wonderful presumption in that gentleman, without any communication of his purpose or so much as a motion that he might do it, to bring in a bill that overthrew and repealed

[1] [*Metam.* i. 190–1.]

[2] ['An act for the utter abolishing and taking away of all archbishops, bishops, their chancellors and commissaries, deans, deans and chapters, archdeacons, prebendaries, chanters, and canons, and other under-officers, out of the Church of England.']

so many Acts of Parliament, and changed and confounded the 1641
whole frame of the government of the kingdom:' and therefore desired that it might be rejected. The gentleman who brought it in made many excuses of his ignorance in the customs of Parliament, having never before served in any; and acknowledged that he had never read more than the title of the bill, and was prevailed with by his neighbour who sat next to him (who was sir Arthur Haslericke) to deliver it, which he saw would have been done by somebody else. Though the rejecting it was earnestly urged by very many, and ought by the rules of Parliament to have been done, yet all the other people as violently pressed the reading it; and none so importunately as St. John, who was now the King's Solicitor, (who in truth had drawn it:) he said, 'nobody could judge of a bill by the title, which might be false; and this bill for aught any man knew to the contrary, at least for aught he and many others knew, might contain the establishing the bishops, and granting other immunities to the Church, instead of pursuing the matter of the title:' and others as uningeniously declaring 'that our orders are in our own power, and to be altered or dispensed with as we see cause:' many out of curiosity desiring to hear it read, and more to shew the Lords that they would not abate their mettle; upon their declaring their pleasure, the bill was at last read; and no question being to be put upon the first reading[1], it was laid by, and not called upon in a long time after; many men being really persuaded that there was no intention to pursue it, and that it was only brought in to manifest a neglect towards the Lords.

157. When the House grew entangled in multiplicity of business and despatched none, the Northern gentlemen, at least they who were most active and had most credit, (as Hotham and Cholmely and Stapleton,) were marvellously solicitous to despatch the commitment of the Court of York; and having, after great debate and hearing what all parties interested could offer, gotten the committee to vote, 'That Apr. 24.

[1] [It was read the second time on the same day by 139 to 108, and then referred to a committee of the whole House. See § 240.]

1641 it was an illegal commission, and very prejudicial to the liberty and the property of his majesty's subjects of those four northern counties, where that jurisdiction was exercised,' they called upon Mr. Hyde (the chairman) to make the report: and the House having concurred in and confirmed the same vote, they appointed him to prepare himself to deliver the opinion of the House (they having confirmed the vote of the committee) at a conference with the House of Peers, and to desire their concurrence in it, and that they would thereupon be suitors to the King that there might be no more commissions of that kind granted: for they had a great apprehension that either upon the earl of Strafford's resignation or his death, (which they resolved should be very shortly,) they should have a new President put over them.

Apr. 26. 158. Mr. Hyde, at the conference in the Painted Chamber, (being appointed by the House to manage it,) told the Lords, 'that the four northern counties were suitors to their lordships that they might not be distinguished from the rest of his majesty's subjects in the administration of his justice and receiving the fruits thereof; that they only were left to the arbitrary power of a President and Council, which every day procured new authority and power to oppress them:' he told them, that till the 28th year of King Harry the Eighth the administration of justice was the same in the North as in the West or other parts of the realm; that about that time there was some insurrection in that country which produced great disorders and bloodshed, which spread itself to the very borders
1539 of Scotland, whereupon that King issued out a commission to
31 Hen. VIII. the archbishop of York and the principal gentlemen of those counties and some learned lawyers to examine the grounds of all those disorders, and to proceed against the malefactors with all severity, according to the laws of the land. He read that first commission to them; which appeared to be no other than a bare commission of *oyer* and *terminer*. 'It was found that this commission did much good, and therefore it was kept on foot for some time longer than such commissions use to be; and it was often renewed after, but still in the same form, or very

little alteration, till Queen Elizabeth's time, and then there 1641
was some alteration in the commission itself[1], besides that it had reference to instructions which contained matters of state upon some immergent occasions. There were more and greater alterations both in the commission and instructions in the time of King James, when the lord Scroope was president; and when[2] the lord Strafford was first made president they were 1628 Oct.
more enlarged; and yet he had procured new additions to be made twice after.' The instructions of the several times were 1632 March 21; 1637
read, and the alterations observed; and some precedents very pertinently and smartly urged, in which it appeared that great men had been very severely sentenced, in no less penalty than of a *præmunire*, for procuring and executing such commissions: and concluded with desiring the Lords to concur in the same sense the House of Commons had expressed themselves to be of, with reference to the commission and instructions.

159. The speech and argument had a wonderful approbation in both Houses, where he got great credit by it: and the earl of Bath who was to report it, and had no excellent or graceful pronunciation, came himself to Mr. Hyde and desired a copy of it, that he might not do him wrong in the House by the report; and having received it, it was read in the House and by order entered, and the paper itself affixed to their Diurnal[3], where it still remains. And the House of Peers fully concurred with the Commons in their vote, so that there was not in many years after any attempt, or so much as mention, of another commission.

160. And the Northern men were so well pleased that they

[1] [Three different reports of this speech in Rushworth, Nalson, and the *Parl. Hist.*, agree in giving a contrary statement here:—'Till the coming in of K. James the commission continued still the same.' (Lister's *Life of Clarendon*, i. 91.) The reference to the Instructions was in Lord Sheffield's first commission in 1602. And the alterations in the commission were made upon the issue of a new one to Sheffield in June 1608, 7 Jas. I. (Nalson, i. 802). Emanuel, lord Scrope was appointed Lord President in Feb. 1619, 17 Jas. I. (*Cal. Dom. S. P.* 1619–23, pp. 14, 21.)]

[2] ['that when,' MS.]

[3] [The speech is not printed in the *Journal*, but only a short report by the Earl of Bath on April 27 of the resolutions of the House of Commons.]

1641 resolved to move the House to give Mr. Hyde public thanks for the service he had done the House; but the principal leaders diverted them from it, by saying that he had too much credit already, and needed not such an addition, as he behaved himself. However, those Northern men themselves continued marvellously kind; and on his behalf, on all occasions, opposed any combination of the most powerful of them against him; of which somewhat will be said hereafter[1].

Apr. 26. 161. In the afternoon of the same day when the conference had been in the Painted Chamber upon the Court of York, Mr. Hyde going to a place called Pickadilly, (which was a fair house for entertainment and gaming, and handsome gravel walks with shade, and where were an upper and a lower bowling-green, whither very many of the nobility and gentry of the best quality resorted, both for exercise and conversation,) as soon as ever he came into the ground the earl of Bedford came to him; and after some short compliments upon what had passed in the morning, he told him he was glad he was come thither, for there was a friend of his in the lower ground who needed his counsel. He then lamented the misery the kingdom was like to fall into, by their own violence and want of temper in the prosecution of their own happiness. He said 'this business concerning the earl of Strafford was a rock upon which we should all split, and that the passion of the Parliament would destroy the kingdom: that the King was ready

[1] [*The MS. proceeds thus, but the passage is struck out*:—
The opposition in the Lords' House, and the frequent contradiction in the House of Commons, had allayed much of the fury which had so much prevailed; and all men impatiently desired that the armies might be discharged, when all men believed better quarter would be kept: but no progress could be made towards that till the earl of Strafford's business could be despatched, the Scots being bound to gratify their English friends in that particular, as if it were their own work. They who treated for the promotions at Court were solicitous to finish that, as what would do all the rest: and the King was as positive not to do any thing towards it till he might secure the life of the earl of Strafford; which being done, he would do any thing. And the earl of Bedford, who had in truth more authority with the violent men than any body else, laboured heartily to bring it to pass.]

to do all they could desire if the life of the earl of Strafford might be spared: that he was satisfied that he had proceeded with more passion in many things than he ought to have done, by which he had rendered himself useless to his service for the future, and therefore he was well contented that he might be made incapable of any employment for the time to come, and that he should be banished, or imprisoned for his life, as they should choose: that if they would take his death upon them by their own judicatory, he would not interpose any act of his own conscience: but since they had declined that way, and meant to proceed by an Act of Parliament to which he himself must be a party, that it could not consist with his conscience ever to give his royal assent to that Act; because, having been present at the whole trial,' (as he had been, in a box provided on purpose, *incognito*, though conspicuous enough,) 'and heard all the testimony they had given against him, he[1] had heard nothing proved by which he could believe that he was a traitor either in fact or in intention: and therefore his majesty did most earnestly desire that the two Houses would not bring him a bill to pass [to] which in conscience he could not, and therefore would not, consent.' 1641

162. The earl said, 'though he yet was satisfied so well in his own conscience that he believed he should have no scruple in giving his own vote for the passing it,' (for it yet depended in the Lords' House,) 'he knew not how the King could be pressed to do an act so contrary to his own conscience; and that, for his part, he took all the pains he could to persuade his friends to decline their violent prosecution, and to be contented with the remedy proposed by the King, which he thought might be rendered so secure that there need remain no fears of that man's ever appearing again in business: and that how difficult a work soever he found it to be, he should not despair of it if he could persuade the earl of Essex to comply, but that he found him so obstinate that he could not in the least degree prevail with him; that he had left his brother, the earl of

[1] ['and he,' MS.]

1641 Hartford,' (who was that day[1] made a marquis,) 'in the lower ground, walking with him, who he knew would do all he could;' and he desired Mr. Hyde to walk down into that place, and take his turn to persuade him to what was reasonable; which he was very willing to do.

163. He found the marquis and the earl walking there together, and no other persons there; and as soon as they saw him they both came to him, and the marquis, after a short salutation, departed, and left the other two together; which he did purposely. The earl began merrily, in telling him that 'he had that morning performed a service which he knew he did not intend to do; that by what he had said against the Court of York, he had revived their indignation against the earl of Strafford; so that he now hoped they should proceed in their bill against him with vigour, (whereas they had slept so long upon it,) which,' he said, 'was the effect of which he was sure he had no mind to be the cause.' Mr. Hyde confessed he had indeed no such purpose; and hoped that somewhat he had said might put other thoughts into them, to proceed in another manner upon his crimes: that he knew well that the cause of their having slept so long upon the bill was their disagreement upon the point of treason, which the longer they thought of would administer the more difficulties: but that if they declined that, they would all agree that there were crimes and misdemeanours evidently enough proved to deserve so severe a censure as would determine all the activity hereafter of the earl of Strafford that might prove dangerous to the kingdom, or mischievous to any particular person to whom he was not a friend.

164. He shook his head, and answered, 'Stone-dead hath no fellow: that if he were judged guilty in a *præmunire*, according to the precedents cited by him, or fined in any other way, and sentenced to be imprisoned during his life, the King would presently grant him his pardon and his estate, release all fines, and would likewise give him his liberty as soon as he had a mind to receive his service; which would be as soon as the

[1] [The patent was dated June 3.]

Parliament should be ended.' And when he was ready to reply to him, the earl told him familiarly, that he had been tired that afternoon upon that argument, and therefore desired him to continue the discourse no longer then; assuring him he would be ready to confer with him upon it at any other time. 1641

165. And shortly after Mr. Hyde took another opportunity to speak freely with him again concerning it, but found him upon his guard; and though he heard all the other would say with great patience, yet he did not at all enlarge in his answers, but seemed fixed in his resolution; and when he was pressed, how unjustifiable a thing it was for any man to do any thing which his conscience informed him was sinful; that he knew him so well that if he were not satisfied in his own conscience of the guilt of the earl of Strafford the King would never be able to oblige him to give his vote for that bill; and therefore he wondered how he could urge the King to do an act which he declared to be so much against his conscience that he neither could nor would ever give his royal assent to that bill; he answered[1] more at large, and with some commotion, (as if he were in truth possessed with that opinion himself,) 'that the King was obliged in conscience to conform himself and his own understanding to the advice and conscience of his Parliament:' which was a doctrine newly resolved by their divines, and of great use to them for the pursuing their future counsels.

166[2]. Notwithstanding all this, the bill had not that warm reception in the House of Peers that was expected, but after the first reading rested many days[3]; and, being then read the second time, depended long at the committee; few men believing, upon consideration of the affections and parts of the several lords, that of the fourscore who were present at the trial above twenty would have ever consented to that Act: besides, it was not believed, now the formal trial and way of judicature Apr. 26. Apr. 27.

[1] ['to which he answered,' MS.]

[2] [§§ 166–234 from the MS. of the *Hist.*, pp. 51–68.]

[3] [The first and second readings were on consecutive days, Apr. 26 and 27, but the bill was brought up from the Commons on April 21.]

1641 was waived, the bishops would so stupidly (to say no worse) exclude themselves from voting in a law which was to be an Act of Parliament.

167. But there happened about that time two accidents, which (though not then, or it may be since, taken notice of as of any moment or relation to that business) contributed strangely to the passing that bill, and so to the fate of that great person. The first, a discovery of some meetings and discourses between some persons of near relation to his majesty's service and some officers of the army about the high proceedings of the Parliament, and of some expedients that might reduce them to a better temper; which were no sooner intimated to some of the great managers than the whole was formed and shaped into a formidable and bloody design against the Parliament. The second, the sudden death of the earl of Bedford. Of both which it will be necessary to say somewhat; that it may be observed from how little accidents and small circumstances, by the art and industry of those men, the greatest matters have flowed towards the confusion we now labour under.

168. Some principal officers of the army, who were members of the House of Commons and had been caressed both before and after the beginning of the Parliament by the most popular agents of both Houses, and had in truth contributed more to their designs than was agreeable to their duty and the trust reposed in them by the King, found themselves now not so particularly considered as they expected by that party, and their credit in other places, and particularly in the army, to be lessened: for that there was visibly much more care taken for the supply of the Scotch army than of the King's, insomuch that sometimes money that was assigned and paid for the use of the King's army was again taken away, and disposed to the other; and yet that the Parliament much presumed and depended upon their interest in, and power to dispose, the affections of that army.

169. Therefore to redeem what has been done amiss, and to ingratiate themselves to his majesty's favour, they bethought themselves how to dispose, or at least to pretend that they would dispose, the army to some such expressions of duty and

loyalty towards the King as might take away all hope from other men that it might be applied to his disservice: and to that purpose they had conference and communication with some servants of a more immediate trust and relation to both their majesties, through whom they might convey their intentions and devotions to the King, and again receive his royal pleasure, and direction how they should demean themselves. For ought I could ever observe, by what was afterwards reported in the House of Commons, or could learn from those who were conversant with all the secrets of that design, there was never the least intention of working farther upon the affections of the army than to preserve them from being corrupted, or made use of for the imposing unjust or unreasonable things upon the King: and all that ever the King so much as consented should be done by them was, that (most[1] counties in England, or rather, the factious and seditious persons in most counties, having been induced to frame and subscribe petitions to the Parliament against the established government of the Church, with other clauses scandalous to the government of the State too,) the officers of the army should subscribe this following petition; which was brought ingrossed to his majesty for his approbation before they would presume to recommend it to any for their subscription. 1641

170. '*To the King's most excellent majesty; the Lords spiritual and temporal; the Knights, Citizens, and Burgesses, now assembled in the high court of Parliament*[2].

'The humble petition of the officers and soldiers of the army:

'Humbly sheweth, That, although our wants have been very pressing, and the burden we are become unto these parts (by reason of those wants) very grievous unto us, yet so have we demeaned ourselves that your majesty's great and weighty affairs in this present Parliament have hitherto received no interruption by any complaint either from us or against us; a temper not usual in armies, (especially in one destitute not only of pay

[1] ['as most,' MS.]

[2] [The transcript of this petition and the transcripts of other documents subsequently inserted are in the handwriting of Clarendon's secretary, Will. Edgeman. From the reference to the 'tumults' the date of this petition must be at least as late as May, and cannot be the paper proposed by H. Percy, and signed by the King, in April or earlier. See Rushworth III. i. 256, Rapin, and Hallam, *Constit. Hist.*, chap. ix.]

This petition episode is misplaced. It really belongs to July '41

1641 but also of martial discipline and many of its principal officers,) that we cannot but attribute it to a particular blessing of Almighty God on our most hearty affections and zeal to the common good in the happy success of this Parliament; to which, as we should have been ready hourly to contribute our dearest blood, so now that it hath pleased God to manifest his blessing so manifestly therein, we cannot but acknowledge it with thankfulness. We cannot but acknowledge his great mercy in that he hath inclined your majesty's royal heart so to cooperate with the wisdom of the Parliament as to effect so great and happy a reformation upon the former distempers of this Church and Commonwealth: as first, in your majesty's gracious condescending to the many important demands of our neighbours of the Scottish nation; secondly, in granting so free a course of justice against all delinquents of what quality soever; thirdly, in the removal of all those grievances wherewith the subjects did conceive either their liberty of persons, propriety of estate, or freedom of conscience, prejudiced; and lastly, in the greatest pledge of security that ever the subjects of England received from their sovereign, the bill of Triennial Parliament.

171. 'These things so graciously accorded unto by your majesty, without bargain or compensation, as they are more than expectation or hope could extend unto, so now certainly they are such as all loyal hearts ought to acquiesce in with thankfulness; which we do with all humility, and do at this time, with as much earnestness as any, pray and wish that the kingdom may be settled in peace and quietness, and that all men may at their own homes enjoy the blessed fruits of your wisdom and justice.

172. 'But it may please your excellent majesty and this high court of Parliament to give us leave, with grief and anguish of heart, to represent unto you that we hear that there are certain persons stirring and practical, who, instead of rendering glory to God, thanks to his majesty, and acknowledgment to the Parliament, remain yet as unsatisfied and mutinous as ever; who, whilst all the rest of the kingdom are arrived even beyond their wishes, are daily forging new and unseasonable demands; who, whilst all men of reason, loyalty, and moderation, are thinking how they may provide for your majesty's honour and plenty, in return of so many graces to the subject, are[1] still attempting new diminutions of your majesty's just regalities, which must ever be no less dear to all honest men than our own freedoms; in fine, men of such turbulent spirits as are ready to sacrifice the honour and welfare of the whole kingdom to their private fancies, whom nothing else than a subversion of the whole frame of government will satisfy. Far be it from our thoughts to believe that the violence and unreasonableness of such kind of persons can have any influence upon the prudence and justice of the Parliament. But that which begets the trouble and disquiet of our loyal hearts at this present is, that we hear those ill-affected persons are backed in their violence by the multitude, and the power of raising tumults; that thousands flock at their call, and beset the Parliament, and Whitehall itself, not only to the prejudice of that freedom which is necessary to great councils and judicatories, but possibly to some personal danger of your sacred majesty and [the] Peers.

[1] ['they are,' MS.]

173. 'The vast consequence of these persons' malignity, and of the licentiousness of those multitudes that follow them, considered, in most deep care and zealous affection for the safety of your sacred majesty and the Parliament, our humble petition is, that in your wisdoms you would be pleased to remove such dangers by punishing the ringleaders of these tumults, that your majesty and the Parliament may be secured from such insolencies hereafter. For the suppressing of which in all humility we offer ourselves to wait upon you, if you please, hoping we shall appear as considerable in the way of defence to our gracious sovereign, the Parliament, our religion, and the established laws of the kingdom, as what number soever shall audaciously presume to violate them. So shall we, by the wisdom of your majesty and the Parliament, not only be vindicated from precedent innovations, but be secured from the future, that are threatened, and likely to produce more dangerous effects than the former. 1641

'And we shall pray, &c.'

174. His majesty having read this petition, and conceiving that the authority of the army might seem of as great importance for the good reception of so much reason and justice as the subscription of a rabble had been alleged often to be for the countenance of what in truth was mutinous and seditious, said that 'he approved well enough of it, and was content that it might be subscribed by the officers of the army, if they desired it.' The officer who presented the draught to his majesty[1] told him that very few of the army had yet seen it, and that it would be a great countenance to it if, when it was carried to the principal officers who were first to sign it, any evidence might be given to them that it had passed his majesty's approbation; otherwise possibly they might make scruple, for fear of offending him. Thereupon his majesty took a pen and writ at the bottom of the petition *C. R.*, as a token that he had perused and allowed it: and so the petition was carried down into the country where the army lay, and was signed by some officers, but was suddenly quashed, and no more heard of it till in the discovery of the plot: of which more in its place.

175. The meetings continuing between those officers of the army and some servants of his majesty's to the end aforesaid, others of the army, who had expressed very brisk resolutions towards the service and were of eminent command and

[1] [Henry Percy.]

1641 authority with the soldier, were by special direction introduced into those councils, (all persons obliging themselves by an oath of secrecy not to communicate any thing that should pass amongst them) for the better executing what should be agreed.

176. At the first meeting the person that was so introduced [1],—after he had heard the calm propositions of the rest, and that their design was only to observe and defend the laws, that neither the arguments of the Scots or the reputation of their army might compel the King to consent to the alteration of the government of the Church, or to remove the bishops out of the House of Peers, which would in a great degree produce an alteration; or the power of any discontented persons, by their tumultuary petitions, impose upon or diminish the just legal power of the King;—told them, 'those resolutions would produce very little effects for his majesty's service; that there was but one way to do his majesty notable service, which was by bringing up the army presently to London, which would so awe the Parliament that they would do any thing the King commanded.' There was not (as I have been credibly informed) a man in the company that did not perfectly abhor (or seemed to do so) that odious proposition, but contented themselves with making such objections against it as rendered it ridiculous and unpracticable; and so the meeting for that time dissolved.

177. Whether the person that proposed this desperate device did it only as a bait to draw an opinion from other men, (for he was of a perfect dislike and malice to some of the company,) or whether the disdain to see his counsel rejected, and the fear that it might be discovered to his disadvantage, wrought upon him, I know not; but the same, or the next day, he discovered all, and more than had passed, to some of those who seemed to take most care for the public; intimated to them how he was startled with the horror of the design, and how faithfully he resolved to serve the commonwealth or to lose his life in the attempt: yet at the same time acted his part at Court with all possible demonstration of abhorring the proceedings of the Parliament,

[1] [Col. Geo. Goring. Rushworth, III. i. 253, 254, 282.]

to that degree that he offered to undertake, with a crew of 1641
officers and good fellows who, he said, were at his disposal, to rescue the earl of Strafford from the lieutenant of the Tower as he should bring him to his trial, and so to enable him to make an escape into foreign parts.

178. The discovery being thus made to the earl of Bedford, the lord Say, and the lord Kimbolton, (and, no doubt, by them communicated to their chief associates,) as dangerous as the design was afterwards alleged to be, it was not published in three months after to the Houses against whom the treason was intended, nor till long after the death of the earl of Bedford; who, no doubt, rather desired to bind up those wounds which were made, than to make them wider by entertaining new jealousies between King and people, and would not consent to the extending and extorting conclusions which did not naturally flow from the premises; without which this so useful a treason to them could not have been made up.

179. But as they thought not fit (as I said before) to publish this whole discovery till near three months after, so they made extraordinary use of it by parts from the instant that they received the secret; it being always their custom, when they found the heat and distemper of the House (which they endeavoured to keep up by the sharp mention and remembrance of former grievances and pressures) in any degree allayed by some gracious act or gracious profession of the King, to warm and inflame them again with a discovery, or promise of a discovery, of some notable plot and conspiracy against themselves, to dissolve the Parliament by the Papists, or some other way, in which they would be sure that somewhat always should reflect upon the Court. Thus they were sometimes informing of great multitudes of Papists gathering together in Lancashire; then, of secret meetings in caves and under ground in Surrey; letters from beyond sea of great provisions of arms making there for the Catholics of England; and the like; which upon examination always vanished: but for the time (and they were always applied in useful articles of time) served to transport common minds with fears and apprehensions, and so induced them to

1641 comply in sense with those who were like soonest to find remedies for those diseases which none but themselves could discover. And in this progress there sometimes happened strange accidents for the confirmation of their credit.

180. Whilst they were full of clamour against the Papists, upon the instances of some insolencies and indiscretions committed by them during the late intervals of parliaments, (and mentioned before,) especially upon a great alacrity expressed, and contribution raising, the year before for advancing the war
1640 with Scotland, an order was made that the justices of peace of
Nov. 9. Westminster should carefully examine what strangers were lodged within their jurisdiction, and that they should administer the oaths of allegiance and supremacy to all suspected for re-
1640 cusancy, and proceed according to those statutes. An after-
Nov. 21. noon being appointed for that service in Westminster Hall, and many persons warned to appear there, amongst the rest one [John] James, a Papist, appeared, and being pressed by Mr. Hayward, a justice of peace, to take the oaths, suddenly drew out his knife and stabbed him, with some reproachful words 'for his persecuting poor Catholics.' This strange unheard of outrage, upon the person of a minister of justice executing his office by an order of Parliament, startled all men; the old man sinking with the hurt, though he died not of it. And though, for ought I could ever hear, it proceeded only from the rage of a sullen varlet (formerly suspected to be crazed in his understanding) without the least confederacy or combination with any other, yet it was a great countenance to those who were before thought over apprehensive and inquisitive into dangers, and made many believe it rather a design of all the Papists of England than a desperate act of one man, who could never have been induced to it if he had not been promised ssistance from the rest.—But to the point.

181. This discovery of the plot concerning the army being made about the middle of April, which was the end of the earl of Strafford's trial, they for the present made no farther use of it than might contribute to their ends in that business, reserving the rest (as was said before) to be applied in more

necessary seasons. Therefore, about the time that the bill of attainder was preferred, that no interposition from the Court might discountenance or hinder that great work, Mr. Pimm one day informed the House of Commons that he had great cause to fear there was at that time as desperate a design and conspiracy against the Parliament as had been in any age, and he was in doubt persons of great quality and credit at Court had their hands in it: that several officers had been treated with in London to raise men under pretence that they should go for Portugal, but that the Portugal ambassador being conferred with about it professed that he knew nothing of it, and that no person had had any authority or promise from him to that purpose: (and it is true there had been some idle discourse in a tavern between some officers about raising men for Portugal, which was immediately carried to Mr. Pimm, as all tavern and ordinary discourses were:) that for the present he might not acquaint them with other particulars, which might hinder their farther discovery; only desired that a message might be sent to the Lords, to desire them to appoint a committee to examine such witnesses as should be produced, for the discovery of a plot against the Parliament; and that in the mean time they would join in a message to the King to desire his majesty that he would not for some few days grant any pass to any of his servants to pass beyond the seas; saying that he believed some men's consciences would tempt them to make an escape when they heard of this examination. 1641 May 3.

182. Such a committee was appointed to examine, and such a message sent to his majesty, as was desired. But in the mean time, some persons who had been at the tavern and talked of raising men for Portugal, and others who had been at the conference before mentioned where the proposition was for bringing up the army, finding that what had passed so privately and cursorily amongst them had been discovered, and was like to pass a very severe inquisition by them who made glosses and comments as they pleased upon what other men spake or did; and not knowing how much more than the truth had been informed, or what interpretation should be made of that which May 5.

1641 was the truth; resolved not to trust themselves with such judges, (whose formality was first to imprison, and after, at their leisure, to examine,) and so fled into France [1].

183. This was no sooner known and published than it gave great credit and reputation to Mr. Pimm's vigilancy and activity; for it now appeared there was some notable mischief intended, upon discovery whereof such eminent persons were fled. And in this disorder and trouble of mind, men fearing according as they were directed, the bill of attainder found the easier passage in the House of Commons.

184. Having gotten this much ground, and the bill then depending (and like long to depend) with the Lords, Mr. Pimm told them in the House of Commons, that it appeared by the flight of such considerable persons that what he had before imparted to them was of moment, and that his fears were not groundless; that it concerned their service that he should not yet impart the whole matter to them, since the danger was prevented, which they should shortly understand at large: in the mean time, he did assure them that God had miraculously preserved them from a most prodigious conspiracy, in which all their privileges and liberties should have been swallowed up: that though this attempt was disappointed, yet he feared there might be some new device; and therefore he proposed, for the better evidence of their union and unanimity, (which would be the greatest discouragement to all who wished ill to them,) that some protestation might be entered into by the members of both Houses, for the defence of their privileges, and the performance of those duties to God and the King which they were obliged to as good Christians and good subjects; and that a committee might be appointed speedily to withdraw and prepare such a protestation.

185. The motion was entertained with a general approbation; insomuch as they who were apprehensive enough of the ill designs of those who advanced this, and of the ill con-

[Amongst them were Henry Percy, brother to the earl of Northumberland, Henry Jermyn, and Sir John Suckling. See § 223. For notes of these debates see Verney's *Proceedings of the Long Parliament*, Camden Soc. 1845. See also 4th *Report on Hist. MSS.*, 1874, p. 295.]

sequence of such voluntary protestations, thought fit rather 1641
to watch the matter and words, than to oppose the thing itself, which it was evident it was to no purpose to do: and therefore they were well contented with the naming such persons for the committee who were not like to submit to any unlawful or inconvenient obligation. This was urged as of such consequence, that the doors were locked, and no persons suffered to go out of the House till this should be concluded. After a long debate, these words were agreed upon, and offered May 3.
to the House for the Protestation:

186. 'I A. B. do, in the presence of Almighty God, promise, vow, and protest, to maintain and defend, as far as lawfully I may, with my life, power, and estate, the true reformed Protestant religion, expressed in the doctrine of the Church of England, against all Popery and Popish innovations within this realm contrary to the same doctrine, and, according to the duty of my allegiance, his majesty's royal person, honour, and estate; as also the power and privileges of Parliament; the lawful rights and liberties of the subject; and every person that maketh this Protestation, in whatsoever he shall do in the lawful pursuance of the same. And to my power, and as far as lawfully I may, I will oppose, and by all good ways and means endeavour to bring to condign punishment, all such as shall, either by force, practice, counsels, plots, conspiracies, or otherwise, do any thing to the contrary of any thing in this present Protestation contained. And further, that I shall, in all just and honourable ways, endeavour to preserve the union and peace between the three kingdoms of England, Scotland, and Ireland; and neither for hope, fear, nor other respect, shall relinquish this promise, vow, and Protestation.'

187. This was immediately taken by the Speaker of the House of Commons and by all the members then present; and sent up to the Lords, who all likewise took the same, except May 4.
the earl of Southampton and the lord Roberts[1], who positively refused it, alleging there was no law that enjoined it, and the consequence of such voluntary engagements might produce effects that were not then intended: which without doubt was very wisely considered, and had not been pressed in the House of Commons for two reasons: it being visibly impossible to dissuade the thing, the House being awakened by the discourse, mentioned before, of a plot against the Parliament, the poison of which this sovereign antidote would expel and

[1] [See § 231.]

1641 discover; but especially, for that well-affected persons, who were jealous of no other design than the alteration of the government of the Church, thought they had obliged those rigid reformers from any such attempt when they had once bound themselves 'to maintain and defend the Protestant religion expressed in the doctrine of the Church of England;' there being no other scheme of the doctrine of the Church of England than the 39 Articles, of which one is, to preserve the government of the Church by bishops.

188. Whereas the other party was abundantly gratified with having an oath of their own making to entangle the people, so like a Covenant, by which such admirable things had been compassed by their neighbours, and upon which they could make what gloss they pleased when they had occasion; as they did within two days after: for, the Protestation being May 5. taken on Monday the third of May, the Wednesday following some of their own party took occasion to inform the House that it was apprehended by many well-affected persons abroad, who were of notable and exemplar devotion to the Parliament, that if they should take that Protestation they should thereby engage themselves for the defence of bishops, which in their conscience they could not do, and which they hoped the House did not intend to oblige them to: whereupon, without any great opposition, the House being thin, and they who were of another opinion believing this artifice would to all sober men May 13. appear very ridiculous, this ensuing order was made:—

189. 'Whereas some doubts have been raised by several persons out of this House concerning the meaning of these words contained in the Protestation lately made by the members of this House, viz., *The true reformed Protestant religion, expressed in the doctrine of the Church of England, against all Popery and Popish innovations within this realm, contrary to the same doctrine*, this House doth declare that by those words was and is meant only the public doctrine professed in the said Church so far as it is opposite to Popery and Popish innovations; and that the said words are not to be extended to the maintaining of any form of worship, discipline, or government, nor of any rites or ceremonies of the said Church of England.'

190. This explanation being thus procured in the House of Commons, without ever advising with the House of Peers,

who had likewise taken the same Protestation, and, in truth, 1641
so contrary to the intentions of most that took it, they ordered that the Protestation together with this explanation should be printed and published; and that the knights and burgesses should send copies thereof to the counties and boroughs for which they served, and that they should intimate unto the people with what willingness all the members of that House made that Protestation; and that they should farther signify that as they did justify the taking it themselves so they could not but approve it in all such as should take it. Upon which declaration the emissaries of the clergy caused the same to be taken in London, and the parts adjacent, within very few days after the publishing thereof. And for their better encouragement (though their zeal would not attend such formalities) a bill was prepared, passed the House of Commons, and was July 19.
sent up to the Lords, to compel all the subjects to take that Protestation. What the success of that bill was, and what use was afterwards made of this Protestation, (which was then thought so harmless a thing,) and particularly what influence it had upon the business of the earl of Strafford, shall be remembered in its proper place[1].

191. The other accident that fell out during the time that the business of the earl of Strafford was agitated, and by which he received much prejudice, was the death of the earl of Bedford. This lord was the greatest person of interest in all the popular party, being of the best estate and best understanding of the whole pack, and therefore most like to govern the rest; he was besides of great civility, and of much more good-nature than any of the others. And therefore the King, resolving to do his business with that party by him, resolved to make him Lord High Treasurer of England, in the place of the bishop of London, who was as willing to lay down the office as any body was to take it up; and, to gratify him the more, at his desire intended to make Mr. Pimm Chancellor of the Exchequer, as he had done Mr. St. John his Solicitor-General; Mr. Hollis was to be Secretary of State, the lord Say Master of the

[1] [See §§ 226, 231.]

1641 Wards, and the lord Kimbolton to be Lord Privy Seal after the death of his father, who then held that place. Others were to be placed about the Prince, and to have offices when they fell.

192. [1] The earl of Bedford secretly undertook to his majesty that the earl of Strafford's life should be preserved; and to procure his revenue to be settled as amply as any of his progenitors, the which he intended so really that, to my knowledge, he had it in design to endeavour the setting up the excise in England as the only natural means to advance the King's profit. He fell sick within a week after the bill of May 9. attainder was sent up to the Lords' House, and died shortly

[1] [The following passages are taken from the MS. of the *Life*, p. 121:—
'Within two or three days after this time, the earl of Bedford, who was the only man of that authority with the leaders that he could to some degree temper and allay their passions, as being most privy to their ambitions, fell sick of the small-pox, and in few days died; which put an end, at least for the present, to all treaties at Court. For though the lord Say, (who was already Master of the Wards, in the place of the lord Cottington, who wisely withdrew from that office to accommodate him, as he had done before from the Chancellorship of the Exchequer for the accommodation of Mr. Pimm,) that he might succeed him in his pretence to the Treasurer's staff, was very willing to succeed him in the moderate pretences, and would have been contented to have preserved the life of the earl of Strafford, yet neither his credit with the King, nor his authority with his confederates, was equal to the other's: and so they proceeded with all imaginable fury against that unfortunate great man till they had taken away his life. The manner of that trial, and the proceeding afterwards against him by bill of attainder, and the drawing down the tumults to Westminster for the facilitating the passage of that bill in the House of Peers; the fixing up the names of those who dissented from it in the House of Commons, as enemies to their country; the applications to the King by the bishop of Lincoln, (then made archbishop of York,) to satisfy him in point of conscience; the drawing down the tumults again to Whitehall, to cry out for justice; the King's unwilling consent to that bill, and the behaviour and courage of the earl at his death; the advantage the governing party had from the discovery of a senseless combination, or rather a foolish communication, between some officers of the army, who betrayed each other, upon which Wilmott, Ashburnham, and Pollard, three members of the House, were committed to prison, Percy, Jermin, and some others, fled the kingdom; the Protestation that thereupon was entered into by the House of Commons for the defence of the privileges of Parliament, which was taken throughout the kingdom, though it was rejected by the House of Peers; the mischievous use that was made of that Protestation; are all particulars worthy to be mentioned at large in the history of that time, though they do not properly belong to the discourse we are now engaged in.']

after, much afflicted with the passion and fury which he per- 1641
ceived his party inclined to: insomuch as he declared to some of near trust with him that he feared the rage and madness of this Parliament would bring more prejudice and mischief to the kingdom than it had ever sustained by the long intermission of parliaments. He was a wise man, and would have proposed and advised moderate courses; but was not incapable, for want of resolution, of being carried into violent ones, if his advice would not have been submitted to: and therefore many who knew him well thought his death not unseasonable as well to his fame as his fortune, and that it rescued him as well from some possible guilt as from those visible misfortunes which men of all conditions have since undergone.

193. As soon as the earl of Bedford was dead the lord Say (hoping to receive the reward of the Treasurership) succeeded him in his undertaking, and faithfully promised the King that he should not be pressed in the matter of the earl of Strafford's life: and under that promise got credit enough to persuade his majesty to whatsoever he told was necessary to that business. And thereupon, when the bill was depending with the Lords, and when there was little suspicion that it would pass, though the House of Commons every day by messages endeavoured to quicken them, he persuaded the King to go to the House of Peers, and, according to custom, to send for the House of Commons, and then to declare himself that he could not with the safety of a good conscience ever give his consent to the bill that was then depending before them concerning the earl of Strafford, if it should be brought to him, because he was not satisfied in the point of treason: but he was so fully satisfied that the earl was unfit ever to serve him more, in any condition of employment, that he would join with them in any Act to make him utterly incapable of ever bearing office, or having any other employment in any of his majesty's dominions; which he hoped would satisfy them.

194. This advice, upon the confidence of the giver, the King resolved to follow: but when his resolution was imparted to the earl, he immediately sent his brother to him,

1641 beseeching his majesty by no means to take that way, for that he was most assured it would prove very pernicious to him, and therefore desired he might depend upon the honour and conscience of the Peers, without his majesty's interposition. The King told his brother that he had taken that resolution by the advice of his best friends; but since he liked [it] not, he would decline it. The next morning the lord Say came again to him, and finding his majesty altered in his intention, told him, if he took that course he had advised him, he was sure it would prevail; but if he declined it, he could not promise his majesty what would be the issue, and should hold himself absolutely disengaged from any undertaking. The King observing his positiveness, and conceiving his intentions to be very sincere, suffered himself to be guided by him, and

May 1. Saturday. immediately went to the House and said as the other had advised[1]. Whether that lord did in truth believe the discovery of his majesty's conscience in that manner would produce the effect he foretold, or whether he advised it treacherously, to bring on those inconveniences which afterwards happened, I know not: but many, who believed his will to be much worse than his understanding, had the uncharitableness to believe that he intended to betray his master, and to put the ruin of the earl out of question.

195. The event proved very fatal; for the King no sooner returned from the House than the House of Commons, in great passion and fury, declared this last act of his majesty's to be 'the most unpar[all]eled breach of privilege that had ever happened; that if his majesty might take notice what bills were passing in either House and declare his own opinion, it was to prejudge their counsels, and they should not be able to supply the commonwealth with wholesome laws suitable to the diseases it laboured under; that this was the greatest obstruction of justice that could be imagined; that

[1] [The King's speech is printed from a copy in the handwriting of Edw. Nicholas, then Clerk to the Council, in *Cal. Dom. S. P.*, 1640–1, (1882), p. 567. This is doubtless a more exact version than that in Rushworth and Nalson, which only, however, differs in slight particulars.

they, and whosoever had taken the late Protestation, were bound to maintain the privileges of Parliament, which were now so grossly invaded and violated:' with many other sharp discourses to that purpose. 1641

196. The next day great multitudes of people came down to Westminster, and crowded about the House of Peers, exclaiming, with great outcries, that 'they would have justice;' and publicly reading the names of those who had dissented from that bill in the House of Commons as enemies to their country; and as any lord passed by, called, *Justice, justice!* with[1] great rudeness and insolence pressing upon and thrusting those lords whom they suspected not to favour that bill; professing aloud that 'they would be governed and disposed by the honourable House of Commons, and would defend their privileges according to their late Protestation.' This unheard-of act of insolence and sedition continued so many days, till many lords grew so really apprehensive of having their brains beaten out that they absented themselves from the House, and others, finding what seconds the House of Commons was like to have to compass whatever they desired, changed their minds; and so in an afternoon, when of the fourscore who had been present at the trial there were only six and forty lords in the House, (the good people still crying at the doors for *Justice,*) they put the bill to the question, and, eleven lords[2] only dissenting, it passed that House and was ready for the King's assent. May 3, Monday. May 8.

197. The King continued as resolved never to give his consent. The same oratory then attended him at Whitehall which had prevailed at Westminster, and a rabble of many thousand people besieged that place, crying out, *Justice, justice; that they would have justice;* not without great and insolent

[1] ['and with,' MS.]

[2] [Nineteen according to Nalson, who says that of 45 who were present 26 were Content and 19 Non-content. But nine according to Sir H. Vane, who in a letter to Sir T. Roe says 'there were 60 present, whereof 51 voted for the bill and 9 against it' *Cal. Dom. S. P.* 1640–1, [1882] p. 571. All the entries relating to the trial are expunged in the *Journals* of the House of Lords.]

1641 May 9. threats and expressions what they would do if it were not speedily granted. The Privy Council was called together, to advise what course was to be taken to suppress these traitorous riots. Instead of considering how to rescue their master's honour and his conscience from this infamous violence and constraint, they press the King to pass the bill of attainder, saying there was no other way to preserve himself and his posterity than by so doing; and therefore that he ought to be more tender of the safety of the kingdom than of any one person, how innocent soever: not one councillor interposing his opinion to support his master's magnanimity and innocence: they who were of that mind either suppressing their thoughts through fear, upon the new doctrine established then by the new councillors, 'that no man ought to presume to advise any thing in that place contrary to the sense of both Houses,' others sadly believing the force and violence offered to the King would be, before God and man, a just excuse for whatsoever he should do.

198. His majesty told them that 'what was proposed to him to do was in a diameter contrary to his conscience, and that being so, he was sure they would not persuade him to it though themselves were never so well satisfied.' To that point they desire him to confer with his bishops, who, they made no question, would better inform his conscience. The archbishop of York was at hand; who, to his argument of conscience, told him that 'there was a private and a public conscience; that his public conscience as a king might not only dispense with, but oblige him to do, that which was against his private conscience as a man: and that the question was not, whether he should save the earl of Strafford, but, whether he should perish with him: that the conscience of a king to preserve his kingdom, the conscience of a husband to preserve his wife, the conscience of a father to preserve his children, (all which were now in danger,) weighed down abundantly all the considerations the conscience of a master or a friend could suggest to him for the preservation of a friend or servant.' And by such unprelatical, ignominious arguments,

in plain terms advised him, 'even for conscience sake, to pass that Act.' 1641

199. Though this bishop acted his part with more prodigious boldness and impiety, the other of the same function (of whose learning and sincerity the King and the world had greater reverence) did not what might have been expected from their calling or their trust, but at least forbore to fortify and confirm a conscience upon the courage and piety of which themselves and their order did absolutely depend.

200. During these perplexities, the earl of Strafford, taking notice of the straits the King was in, the rage of the people still increasing, (from whence he might expect a certain outrage and ruin, how constant soever the King continued to him;) and, it may be, knowing of an undertaking (for such an undertaking there was) by a great person[1] who then had a command in the Tower, that, if the King refused to pass the bill, to free the kingdom from the hazard it seemed to be in he would cause his head to be strucken off in the Tower, writ May 4. a most pathetical letter to the King, full of acknowledgment of his favours, but lively presenting the dangers, which threatened himself and his posterity by his obstinacy in those favours; and therefore by many arguments conjuring him no longer to defer his assent to the bill, that so his death might free the kingdom from the many troubles it apprehended.

201. The delivery of this letter being quickly known, new arguments were applied, that this free consent of his own clearly absolved the King from any scruple that could remain with him; and so in the end they extorted from him to sign May 10. a commission to some lords to pass the bill, which was as valid as if he had signed it himself; though they comforted him even with that circumstance, that his own hand was not in it.

202. It may easily be said that, the freedom of the Parliament and his own negative voice being thus barbarously invaded, if[2] his majesty had, instead of passing that Act, come

[1] [Probably the Earl of Newport, whose appointment as Constable of the Tower, in the place of Lord Cottington, was notified to the House of Lords on May 5, but the patent (in the State Paper Office) is dated May 6. Sir William Balfour was Lieutenant.]

[2] ['that if,' MS.]

1641 to the House and dissolved the Parliament, or if he had withdrawn himself from that seditious city and put himself in the head of his own army, much of the mischief which hath since happened would have been prevented. But whoever truly considers the state of affairs at that time; the prevalency of that faction in both Houses; the rage and fury of the people; the use that was made by the schismatical preachers (by whom all the orthodox were silenced) of the late Protestation in their pulpits; the fears and jealousies they had infused into the minds of many sober men upon the discourse of the late plot; the constitution of the Council-table, that there was not an honest man durst speak his conscience to the King, for fear of his ruin; and that those whom he thought most true to him betrayed him every hour, insomuch as his whispers in his bedchamber were instantly conveyed to those against whom those whispers were; so that he had very few men to whom he could breathe his conscience and complaint that were not suborned against him or averse to his opinions: that, on the other side, if some expedient were not speedily found out to allay that frantic rage and combination in the people, there was reason enough to believe their impious hands would be lifted up against his own person, and (which he much more apprehended) against the person of his royal consort; and lastly, that (besides the difficulty of getting thither, except he would have gone alone) he had no ground to be very confident of his own army: I say, whoever sadly contemplates this will find cause to confess, the part which the King had to act was not only harder than any prince but than any private gentleman had been incumbent to; and that it is much easier upon the accidents and occurrences which have since happened to determine what was not to have been done, than at that time to have foreseen by what means to have freed himself from the labyrinth in which he was involved.

May 12. 203. All things being thus transacted, to conclude the fate of this great person, he was on the twelfth day of May brought from the Tower of London (where he had been a prisoner near six months) to the scaffold on Tower Hill; where, with a com-

posed undaunted courage, he told the people 'he was come 1641
thither to satisfy them with his head; but that he much feared the reformation which was begun in blood would not prove so fortunate to the kingdom as they expected and he wished:' and after great expressions of his devotion to the Church of England, and the Protestant religion established by law and professed in that Church, of his loyalty to the King and affection to the peace and welfare of the kingdom, with marvellous tranquillity of mind, he delivered his head to the block, where it was severed from his body at a blow: many of the standers by, who had not been over charitable to him in his life, being much affected with the courage and Christianity of his death.

204. Thus fell the greatest subject in power, and little inferior to any in fortune, that was at that time in either of the three kingdoms; who could well remember the time when he led those people who then pursued him to his grave. He was a man of great parts and extraordinary endowments of nature, not unadorned with some addition of art and learning, though that again was more improved and illustrated by the other; for he had a readiness of conception and sharpness of expression which made his learning thought more than in truth it was. His first inclinations and addresses to the Court were only to establish his greatness in the country, where he apprehended some acts of power from the old lord Savill, who had been his rival always there, and of late had strengthened himself by being made a Privy Councillor and officer at Court: but his first attempts were so prosperous that he contented not himself with being secure from his power in the country, but rested not till he had bereaved him of all power and place in Court, and so sent him down, a most abject disconsolate old man, to his country, where he was to have the superintendency over him too, by getting himself at that time made Lord President of the North. These successes, applied to a nature too elate and arrogant of itself, and a quicker progress into the greatest employments and trust, made him more transported with disdain of other men, and less observing the forms of business,

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1641 than happily he would have been if he had met with some interruptions in the beginning, and had passed in a more leisurely gradation to the office of a statesman.

205. He was, no doubt, of great observation, and a piercing judgment, both into things and persons; but his too good skill in persons made him judge the worse of things: for it was his misfortune to be of a time wherein very few wise men were equally employed with him, and scarce any (but the lord Coventry, whose trust was more confined) whose faculties and abilities were equal to his: so that upon the matter he wholly relied upon himself, and, discerning many defects in most men, he too much neglected what they said or did. Of all his passions his pride was most predominant, which a moderate exercise of ill fortune might have corrected and reformed, and which was by the hand of Heaven strangely punished, by bringing his destruction upon him by two things that he most despised, the people and sir Harry Vane. In a word, the epitaph which Plutarch records[1] that Silla wrote for himself may not be unfitly applied to him; that 'no man did ever pass him either in doing good to his friends or in doing mischief to his enemies;' for his acts of both kinds were most exemplar and notorious.

206. Together with that of attainder of the earl of Strafford,
May 10. another bill was passed by the King, of almost as fatal a consequence to the King and kingdom as that was to the earl; the 'Act for the perpetual Parliament[2],' as it is since called.

207. The vast burden of the two armies was no other way supplied, (for I have told you before the reason why they were so slow in granting of subsidies), than by borrowing great sums of money from the city or citizens of London, upon the credit of particular persons. The emissaries in that negotiation, about the time the Act for attainder passed the Commons, returned, that 'there was no more hope of borrowing in the city; that men had before cheerfully lent their estates, upon their confidence in the honour and justice of the two Houses:

[1] [Vit. Syllae, *ad calc.*]

[2] ['That this present Parliament shall not be dissolved, unless it be by Act of Parliament to be passed for that purpose.']

but they had now considered how desperate that security must 1641
prove if the two Houses should be dissolved, which consideration began to have a universal influence upon all those who were personally bound for moneys already borrowed; for that their persons and fortunes must answer those sums which had been paid for the public benefit, if the Parliament should be dissolved before any Act passed for their indemnity. That their fears and apprehensions that this might happen were much advanced by the late discovery of the plot against the Parliament; for, though the particulars thereof were not yet published, they discerned there was not that good meaning to the Parliament as it deserved.' This was no sooner offered than the reasonableness of the objection was enforced, and the necessity of finding some expedient to satisfy the people of the 'gracious intentions and resolutions of the King, which were most unquestionable;' (for in all those articles of time, when they were to demand some unreasonable thing from him, they spared no dutiful mention of the piety and goodness of his own princely nature, or large promises what demonstrations of duty they would shortly make to him). No way could be thought of so undeniable as an Act of Parliament, 'that this Parliament should not be adjourned, prorogued, or dissolved, but by Act of Parliament; which, upon this occasion, his majesty would never deny to pass.'

208. It is not credible, what a universal reception and concurrence this motion met with, which was to remove the landmarks and to destroy the foundation of the kingdom, insomuch as a committee was immediately appointed to withdraw and to May 4.
prepare a short bill to that purpose; which was within a short time (less than an hour) brought into the House, and immediately twice read and committed (an expedition never before heard of May 6.
in Parliament;) and the next day, with as little agitation, and May 7.
the contradiction of very few voices, engrossed and carried up to the Lords. With them it had some debate, and amendments, which were delivered at a conference, the principal whereof was, May 8.
'that the time should be limited, and not left indefinite, and that it should not be dissolved within two years except by

1641 consent of both Houses; that time being sufficient to provide against any accidents that were then apprehended.'

209. These alterations were highly resented in the House of Commons, as argument of jealousy between the King and the Parliament, that it should be imaginable the members of both Houses, who resided from their houses and conveniences at great charge for the service of the public, would desire to continue longer together than the necessity of that service should require; without considering that it was more unlikely that the King (who had condescended so far to them, and had yet in truth received no fruit from their meeting) would dissolve them as long as they intended that for which they were summoned together, and contained themselves within the bounds of duty and moderation.

210. But the Commons stoutly insisted on their own bill; and the Lords, in that hurry of noise and confusion when the
May 8. people were abroad, kindly consented likewise to it: and so, by the importunity and upon the undertaking of persons he then most trusted, in the agony of the other despatch, the King was
May 10. induced to include that bill in the commission with the Act of attainder, and so they were both passed together.

211. After the passing these two bills the temper and spirit of the people, both within and without the walls of the two Houses, grew marvellous calm and composed; there being like-
July 5. wise about that time passed by the King the two bills for the taking away the Star Chamber court and the High Commission: so that there was not a grievance or inconvenience, real or imaginary, to which there was not a through remedy applied; and therefore all men expected that both armies would be speedily disbanded, and such returns of duty and acknowledgment be made to the King as might be agreeable to their professions and to the royal favours he had vouchsafed to his people.

212. But what provisions soever were made for the public, particular persons had received no satisfaction. The death of the earl of Bedford, and the high proceedings in all those cases in which the King was most concerned, left all those who

expected offices and preferments desperate in their hopes: and yet an accident happened that might have been looked upon as an earnest or instance of some encouragement that way. 1641

213. Besides the lord Say's being invested in the Mastership of the Wards, in the place of the lord Cottington, (who was every day threatened, upon the Secretary's paper of results, to be accused of high treason, till, like a wise man, he retired from the offices which begat his trouble, and for a long time after, till he again embarked himself in public employments, enjoyed himself without the least disturbance,) at a committee in the Lords' house in an afternoon, in some debate, passion arose between the earl of Pembroke, who was then Lord Chamberlain of the household, and the lord Mowbray, eldest son to the earl of Arrundel, and from angry and disdainful words an offer or attempt of blows was made; for which misdemeanor they were the next day both sent to the Tower by the House of Lords. The King, taking advantage of this miscarriage, and having been long incensed by the passionate, indiscreet, and insolent carriage of the earl, sent to him by a gentleman usher for his staff, and within two or three days after bestowed it upon the earl of Essex, who without any hesitation took it. May 17. July 16. July 17. July 23.

214. It was thought this extraordinary grace to the most popular person of the kingdom would have had a notable influence upon the whole party, which made him believe it depended very much on him: but it was so far from having that effect as they looked upon that favour rather as a mark of punishment and revenge upon the earl of Pembroke, for his affection to them and for giving his suffrage against the earl of Strafford, (which he had often professed to the King he could never in conscience do,) than of estimation and kindness to the earl of Essex; and so were in truth more offended and incensed with the disgrace and disobligation to the one than they were pleased with the preferment of the other. Therefore, whatever concerned the King in right, or what he might naturally expect from the compliance and affection of the Houses, or what was any way recommended by his majesty to them, found little or no respect.

1641 215. His revenue was so far from being advanced, (as had been gloriously promised,) that it was, both in dignity and value, much lessened from what it was. For, shortly after the beginning of the Parliament, great complaint had been made that tonnage and poundage (which is the duty and subsidy paid by the merchant upon trade) had been taken by the King without consent of Parliament. The case whereof in truth is this: this duty had been constantly given to the successive king[s], ever since the reign of King Edward the Fourth, for their lives, in the first Parliament they held after their coming to the crown: before that time, it had been granted for years; and was originally intended for the support of the navy, whereby the merchant might be freed from danger of pirates; and upon the death of every king since that time, his successor always received it, without the least interruption, till the next Parliament, in the beginning whereof it was always without scruple granted: so that, though it was, and must always be acknowledged as, the free gift of the people, (as all other subsidies are,) yet it was looked upon as so essential a part of the revenue of the Crown that it could not be without it: and as the king is not less king before his coronation than he is after, so this duty had been still enjoyed as freely before as it was after an Act of Parliament to that purpose; neither had there been ever any exception taken in Parliament, (which sometimes was not in a year after the death of the former king,) that the Crown had continued the receipt of it (which it always did) till the time of a new grant.

216. Thus, after the death of King James his majesty received it till the first Parliament was summoned; and, that and two more being unfortunately dissolved, (as was said before,) in which his ministers were not solicitous enough for the passing that Act for tonnage and poundage, continued the receipt of it till this present Parliament: then (that is, many weeks after the beginning of it) it was directed that a bill should be speedily prepared for the granting it as had been usual, lest the Crown might, by so long enjoying, in a manner prescribe to it of right, without the donation of the people, which the King always dis-

claimed to do. Shortly after (no man presuming to intimate that it should be granted in any other manner than of course it had been) it was alleged, that the bill could not be so speedily prepared as were to be wished, by reason that there were many just exceptions made by the merchants to the book of rates which had been lately made by the farmers of the customs, in the time, and by the direction, of the earl of Portland; (circumstances that carried prejudice enough to whatsoever [they were[1]] applied;) and therefore it was proposed for the present, as the best expedient to continue his majesty's supply and to preserve the right of giving in the people, that a temporary bill should pass for the granting the same to his majesty for two months only, in which time a new book of rates should be made, more advantageous to his majesty in point of profit, (which was always solemnly professed,) and then a complete Act might pass. 1641

217. To this purpose a bill was accordingly brought in, the preamble whereof renounced, and declared against, not only any power in the Crown of levying the duty of tonnage and poundage without the express consent of Parliament, but also any power of imposition upon any merchandises whatsoever and in any case whatsoever; which had been constantly practised in the best times by the Crown, had the countenance of a solemn judgment in the Exchequer chamber, and, though often agitated in Parliament, had never been yet declared against. Yet this quietly passed both Houses, as a thing not worth considering; those who in duty ought to have opposed it in both Houses, in relation to their service and trust, persuading his majesty, since he was sure to have whatsoever he or his progenitors had enjoyed fully and frankly given and granted to him within two months, not to enter into disputes, (upon how just claims soever,) which would only delay what he most desired. And so, in expectation and confidence that they would make glorious additions to his state and revenue, he suffered himself to be stripped of all that he had left, and of the sole stock of credit he had to borrow moneys upon: for though in truth men knew that revenue was not legally vested in the King till an Act of May 27. 1628 June 17. June 21. June 22.

[1] ['it was,' MS.]

1641 Parliament, yet all men looked upon it as unquestionably to pass; and so it was not only a competent proportion for the present support of his house, but was understood a good security for any ordinary sum of money upon advance, as forty or fifty thousand pound, upon any emergent occasion.

218. All men discerned this gross usage and disadvantage imposed upon his majesty by this mutation, and therefore expected a full reparation, by such an Act for life as had been usual, and such an improvement of the book of rates as had been promised, as soon as the business of the earl of Strafford was over, which had been always objected as necessary to precede all other consultations. But this was no sooner moved as seasonable in order to their own professions, and in a degree due to the King, after so many reiterated expressions of favour and affection to his people by so many excellent laws and other condescensions, than they objected, 'the odiousness of the late plot against the Parliament, which was not yet fully discovered: that notwithstanding those gracious demonstrations of favour from the King in the laws and other acts mentioned, they had great cause to apprehend some ill-affected persons had still an influence upon his majesty, to the disservice of the Parliament and to beget jealousies in him towards them; for that they had plainly discovered (which they should in a short time be able to present fully to the House) that there had been a design, not only to poison the affections of the army towards the Parliament by making them believe that they were neglected and the Scots preferred much before them, but to bring up that army to London, with a purpose to awe the Parliament: that there was a resolution to seize the Tower and to make it a curb upon the city: that there had been an attempt to prevail with the officers of the Scotch army at least to sit still as neuters, whilst the other acted this tragedy: that the confederates in this design had taken an oath to oppose any course that should be advised for the removing the bishops out of the House of Peers, to preserve and defend the King's prerogative to the utmost extent that any of his progenitors had enjoyed, and to settle his majesty's revenue: that they had reason to fear his majesty's own

concurrence, at least his approbation, in this design, (which, if not prevented, must have proved so pernicious and fatal to the kingdom,) for that, besides that the persons principally engaged in it were of the nearest trust about the King and Queen, they had clear proof that a paper had passed his majesty's perusal in which were contained many sharp invectives against the Parliament, a desire that they might have the exercise of martial law, (the mention whereof was the most unpopular and odious thing that could be imagined,) and an offer of service to defend his majesty's person, which was an implication as if it had been in danger: and that this paper should have been signed by all the officers of the army; for their better encouragement wherein the King himself had written a *C.* and an *R.* as a testimony that he approved of it.' 1641

219. This discourse, so methodically and confidently averred, made a strange impression (without reserving themselves till the evidence should be produced) in the minds of most men, who believed that such particulars could never have been with that solemnity informed if the proofs were not very clear; and served not only to blast whatsoever was moved on his majesty's behalf, but to discountenance what till then had been the most popular motion that could be made, which was, the disbanding both armies and the Scots' return into their own country. For the better accomplishment whereof, and as a testimony of their brotherly affection, the two Houses had frankly and bountifully undertaken to give to them a gratuity of three hundred thousand pounds, over and above the twenty-five thousand pounds the month, during the time that their stay here should be necessary. Feb. 3.

220. After that act the King might have been reasonably awaked from any extraordinary confidence in the loyalty, honour, or justice of both Houses. And without doubt, when posterity shall recover the courage and conscience and the old honour of the English nation, it will not with more indignation and blushes contemplate any action of this seditious and rebellious age than that the nobility and gentry of England, who were not guilty of the treason, should recompense an

1641 invasion from a foreign contemned nation with whatever establishments they proposed in their own kingdom and with a donative of three hundred thousand pounds, over and above all charges, out of the bowels of England.

221. Which will yet appear the more prodigious, when it shall be considered that a fifth part of those who were accessaries to that infamous prodigality were neither favourers of their ends or well-wishers of their nation; very many giving themselves leave unfaithfully to be absent from those debates when the wealth and honour of their country was to be transplanted into a strange land; others looking upon it as a good purchase, to be freed of the payment of fourscore thousand pounds the month, (which was the charge of both armies,) by an entire sum of three hundred thousand pounds; and some pleasing themselves with an assurance that the scandal and unreasonableness of the sum would provoke the people to a hatred and revenge, and so that the brotherhood would not be supported but destroyed by that extravagant bounty. But these were only short ejaculations to please themselves for the time; for many of those who had no other reason to consent to that vast sum but that they might be rid of them, were so inflamed and transported with the tale of the plot that they had then no mind to let them go, and had so far swallowed and digested an assurance that it was true, that they reserved no distinguishing or judging faculties for the time when the evidence and proof should be presented to them.

222. After they had played with this plot, and given the House heats and colds by applying parts of it to them upon emergent occasions for the space of near three months; finding[1] that though it did them many notable services, in advancing their own reputations and calumniating the King's honour, yet that it had not a through effect at Court for their preferment, they resolved to shew all their ware and to produce the whole evidence: for the perfecting whereof, they had 'a late great mark of God's great favour towards them, in his furnishing

[1] ['and finding,' MS.]

them with evidence for the complete discovery of all the mis- 1641
chief from one that was a principal contriver of it.'

223. We said before that upon the first motion in the House May 3.
of Commons, by Mr. Pimm, for a committee to examine, and for an address to the King that he would grant no passes to any of his servants to go beyond seas, two persons, of near relation to his trust, immediately absented themselves; which were Mr. Percy and Mr. Jermyn. The latter, without interruption, transported himself into France; but Mr. Percy, delaying his journey upon some occasions of his own and concealing himself in some obscure places in Sussex, near to his brother's house, was at last discovered, and, when he endeavoured to have escaped, was set upon by the country people, and with great difficulty and not without some hurt got from them, and was not in some months again heard of.

224. It was generally believed afterwards that, finding the seaports shut and watches set for his apprehension in all those places, whereby the transporting himself into foreign parts was very difficult, he found means to return to London, and to put himself into his brother's protection, where it is thought he was harboured till his hurt was cured, the strictness of the inquiry over, and till he had prepared that letter to his brother, the earl of Northumberland, which served, as far as in him lay, to destroy all his companions, and furnished the committee with that which they called 'a double evidence:' for they had no sooner received that letter from the earl of Northumberland than they told the House they were now ready for a complete discovery; and thereupon produced the evidence of colonel Goring and the letter from Mr. Percy; both which agreed upon the relation of a meeting at Mr. Percy's chamber, and of a discourse of the Parliament's neglect of the King's and favouring the Scottish army, the taking an oath of secrecy, and some other particulars: all which had been positively denied by those members of the House of Commons, Mr. Wilmot, Mr. Ashburnham, and Mr. Pollard, upon their examinations upon oath.

225. It will hardly be believed hereafter, (but that the effects of such impostures have left such deep marks,) that the evidence

1641 then given could in so grave and judging an assembly as a high court of Parliament till then had always been have brought the least prejudice upon the King, or, indeed, damage to any person accused: there being in all the testimonies produced so far from any proof of a real design or plot to bring up the army (which was the grand matter alleged) to awe the Parliament, that in truth it was very evident there was no plot at all; only a free communication between persons (the major part whereof were of the House) of the ill arts that were generally used to corrupt the affections of the people, and of some expedient whereby in that so public infection the army, (in which they had all considerable commands, two of them being general officers) might be preserved from being wrought upon and corrupted: in which discourse colonel Goring himself, (as appears by his own examination,) only proposed wild and extravagant overtures of bringing up the army and surprising the Tower; which was by all the rest, with manifest dislike, rejected: that all this had passed at one meeting, in which they who met were so ill satisfied in one another that they never would come together again: that when the bringing up the army to London was mentioned to the King, his majesty would not hear of it, but only desired that their affections might be kept entire for his service, as far as was consistent with the laws of the land, which were in danger to be invaded.

226. Yet, notwithstanding that all this appeared, and that this was all which did appear (besides a discourse of the petition; for the petition itself they would not produce, signed with *C. R.*, which is before set down in terms); the specious, positive narration of the whole by Mr. Pimm, before the evidence was read; the denying of what was now proved, and confessed by themselves, by Mr. Wilmot, Ashburnham, and Pollard upon their former examinations; the flight of Mr. Jermyn and Mr. Percy, and some others; the mention of some clauses in the petition signed with *C. R.*; and some envious, dark glances both in Mr. Goring's examination and Mr. Percy's letter at the King and Queen, as if they knew more than was expressed; so transported the hearers, who made themselves judges too,

that, taking all that was said to be proved, they quickly voted, 1641
'that there was a design to bring up the army to force the May 6.
Parliament;' resolved to accuse Mr. Jermyn and Mr. Percy of
high treason; committed the three members of the House of June 14.
Commons to several prisons[1], and put them from being members
of Parliament, that in their rooms they might bring in three
more fit for their service, as they shortly did; gave colonel
Goring public thanks, 'for preserving the kingdom and the June 9.
liberties of Parliament;' and filled the people with jealousy
for their security, and with universal acclamations of their
great wisdom and vigilancy. So that this plot[2] served to pro-
duce their first Protestation; to inflame the people against the
earl of Strafford, and in a degree to compass their ends upon
that great person, as hath been before observed; to procure the
bill for the continuance of this Parliament, (the foundation or
the fountain of all the public calamities); to hinder and cross
all overtures made for the revenue of the King, and to lessen
the general reverence and duty to both their majesties; to
continue the Scottish army within the kingdom, and consequently
to hinder the King's from being disbanded; to incense both
Houses against the bishops, as if the design had been principally
for their protection, and there being one witness who said he
had been told that the clergy would raise and pay one thousand
horse to be employed against the Parliament; to blast the
reputation of the earl of Newcastle, whose zeal to his majesty's
service was most remarkable, as if he had been to have com-
manded the army; and lastly, to advance their own credit and
estimation with the people, as if they were the only patriots
that intended the preservation of Religion, Law, and Liberty.

227. And having made this use of it, (which is a sufficient
argument what opinion they had of their own evidence,) they
never proceeded against any of the persons who were in their

[1] [Wilmot to the Tower, Ashburnham to the King's Bench, and Pollard to the Gate-House.]

[2] [The following parenthesis is here struck out in the MS., being embodied in the next paragraph: '(which in truth was never formed, and upon which they never proceeded after the commitment of the three gentlemen, who expected a prosecution [for] above a year after in the Tower).']

1641 power, though they patiently attended and importuned a trial above a year after their accusation: for they well knew there must be then a more exact and strict weighing of the proofs, and that the persons accused could not only vindicate themselves from the aspersions which were laid upon them, but could recriminate their grand prosecutors with such charges as they would not so easily be freed from; and this was the reason that, even during the heat and noise of the accusation, they received very civil offices, visits, and addresses, from the chief of those who were trusted with the prosecution.

228. The sending that letter of Mr. Percy's to the House of Commons, or, rather, the procuring that letter to be writ, in which such insinuations were made to the prejudice of the King and Queen, was the first visible instance of the defection of the earl of Northumberland towards his majesty's service; which wrought several ill effects in the minds of many: for as the earl then had the most esteemed and unblemished reputation, in court and country, of any person of his rank throughout the kingdom, so they who knew him well discerned that the greatness of that reputation was but an effect of the singular grace and favour shewed to him by his majesty, who, immediately upon the death of his father, had taken this earl (being then less than thirty years of age) into his immediate and eminent care; first made him a Privy Councillor; then
1635 knight of the order of the Garter; then (that he might apt
Apr. 23. him by degrees for the greatest trust and employments) sent him admiral into the Narrow-Seas of a royal navy; and, after
1636 a summer spent in that exercise, made him Lord High Ad-
March 21. miral of England; and, to the very minute of which we speak, prosecuted him with all manner and demonstration of respect and kindness; and (as I heard his majesty himself say) 'courted him as his mistress, and conversed with him as his friend, without the least interruption or intermission of all possible favour and kindness.' And therefore many, who observed this great earl purchase this opportunity of disserving the King at the price of his brother's honour and of his own gratitude, concluded that he had some notable temptation in

conscience, and that the Court was much worse than it was 1641
believed to be [1].

229. The truth is, that after his brother's being accused of high treason, and then, upon his hurt in Sussex, coming directly to Northumberland-house to shelter himself, the earl, being in great trouble how to send him away beyond the seas after his wound was recovered, advised with a confident friend then in power, whose affection to him he doubted not, and who, innocently enough, brought Mr. Pimm into the council, who overwitted them both by frankly consenting that Mr. Percy should escape into France, which was all the care the earl had; but then obliged him first to draw such a letter from him as might be applied as an evidence of the reality of the plot after he was escaped; and in this manner the letter was procured, which made a lasting quarrel between the two brothers, and made the earl more at the disposal of those persons whom he had trusted so far than he had been before.

230. After the Act for the continuance of the Parliament the House of Commons took much more upon them in point of their privileges than they had done, and more undervalued the concurrence of the Peers, though [2] that Act added nothing, nor extended their jurisdiction; which jurisdiction the wisdom of former times kept from being limited or defined, there being no danger of excess, and it being more agreeable to the nature of

[1] [The following passage is here struck out in the MS., and the next paragraph substituted in the margin:—

'Others resolved that the King's power was declining, for that the earl naturally loved the stronger side; but they who knew his nature best said that flattery, which had always a great power over [him], prevailed with him to receive those suggestions which his fear afterwards caused to impose on him; and that having his brother in his house, as was said before, and not daring to conceal it, he trusted those with that secret who compelled him to make that use of him before they would consent that he should cause him to be wafted over sea, which he was within four days of his subscription of that letter. Whatever it was, I have not heard that his lordship hath ever since thought it fault enough to make an excuse for, neither did it produce any visible averseness in the King towards him, till it was aggravated with many other particulars which cannot be omitted in the ensuing history.'

This passage has not been noticed in previous editions.]

[2] ['and though,' MS.]

1641 the supreme court to have an unlimited jurisdiction. But now that it could not be dissolved without their consent, (the apprehension and fear whereof had always before kept them within the bounds of modesty,) they called any power they pleased to assume to themselves, 'a branch of their privilege,' and any opposing or questioning that power, 'a breach of their privileges: which all men were bound to defend by their late Protestation; and they were the only proper judges of their own privileges.'

231. Hereupon, they called whom they pleased *Delinquents*, received complaints of all kinds, and committed to prison whom they pleased: which had never been done nor attempted before this Parliament, except in some such apparent breach as the arresting a privileged person, or the like. And, as if theirs had swallowed up all other privileges of Peers and King
July 29. himself, upon the Lords rejecting a bill sent up to them to compel all persons, without distinction of quality, and without distinction of punishment or proceeding upon their refusal, to take the late Protestation, and two lords of great estimation (the earl of Southampton and the lord Roberts) having refused to take the same, the House of Commons, in great fury and
July 31. with many expressions of contempt, by a vote declared that 'the Protestation made by them was fit to be taken by every person that was well affected in religion and to the good of the Commonwealth; and therefore, that what person soever should not take the Protestation was unfit to bear office in the Church or Commonwealth;' and directed farther that that vote should be printed, and that the knights and burgesses should send down copies of it to the several places for which they served: which was the most unparalleled breach of privilege, and the highest and most insolent affront to the Lords, to the King, and to the justice of the kingdom, and the most destructive to Parliaments, that any age had been guilty of. And yet, when
Aug. 2–Aug. 6. some of the peers nobly resented it, on the behalf of the peerage and the liberty of the subject, and pressed resolutely for reparation, means was found out to engage the King to interpose his royal mediation with those lords, to the end they

might quietly pass by that public violation and indignity without further insisting on it[1]. 1641

[1] [The following passages are here struck out in the MS. of the *Hist.*, pp. 66, 67. Compare §§ 148–156, *supra*:—

'About the same time, another bill sent to the Lords from the Commons had the same fate with that for the Protestation, and were the two only acts the Lords to that time had refused to concur in. The government of the Church by bishops was of that general reverence that, notwithstanding the envy and malice that the persons of many of them had contracted, and notwithstanding the malignity the Scotch nation had expressed even to the function, there appeared not in many persons of consideration any intention to extirpate that order; but very many who seemed to be friends to that, (and some that really were so,) both of the House of Peers and Commons, were importunate (and had entered into a combination to that purpose) to remove the bishops from sitting in the House of Peers. And to that end a bill was prepared and brought into the House of Commons; where, though it received some opposition by many who well foresaw that the taking away that essential part of their dignity would be a means in a short time to confound what was left, and that they who were in truth enemies to them would never compound for less than an abolition, but would hereafter urge this as an argument for the other, whatever pretences they made, as some of the most violentest of them then, and who have since pursued them to the death, did publicly profess, and the principal of them protested to the King, that they would never attempt or wish any other alteration than the removing them out of the House of Peers; and although it was informed by those who well enough understood what they said that the passing such a law would make a great alteration in the frame and constitution of Parliaments, by reason that the bishops were the representative body of the clergy, and so made up the third estate; yet that last substantial and unanswerable argument being understood by few, and having been formerly too peremptorily and unskilfully rejected by the clergy themselves, who would have found out and fancied another title of sitting there; and many really believing that this degradation would abate the edge of that popular envy which otherwise threatened to cut off the order by the roots; others in truth thinking that 24 voices declared upon the matter for the Crown did, or might, too much prejudice the Commonwealth in the House of Peers; some being so angry with particular bishops upon matter of interest and title that they sacrificed their reason and their conscience to their revenge, whilst they who had vowed their utter destruction and extirpation well knew that this progress was most necessary for their end, and that the only way to rid them out of the Church was first to rid them out of the House, that so there might be 24 voices less to oppose the other; the bill passed the House of Commons, and was transmitted to the Lords, where it received several solemn debates; and at last, after very grave agitation, about the time that the bill for the Protestation was cast out, by the consent of above three parts of four it was likewise June 8.
rejected. The which was no sooner known, than the House of Commons et themselves loose into as great passion as they had formerly done upon

1641 232. All this time the two armies were continued at that vast charge, many men whispering (but so that it might be spoken of) 'that the Scots would not retire till the bill against episcopacy were passed:' whereupon the King sent them word, about the beginning of July, that he desired all speed might be used for the disbanding both armies; for the better and more in Apr. orderly doing whereof he had constituted the earl of Holland general of his army, (the earl of Northumberland, by reason of his indisposition in health, or some other reason, having laid down his commission,) and intended forthwith to send him down thither: that his majesty himself, according to former resolution, and promise made to his subjects of Scotland, meant to visit that his native kingdom, for the better perfecting the peace there; and appointed the day (about fourteen days after) he resolved to begin his progress; and therefore wished them against that time to prepare and finish such Acts as they desired might receive his majesty's approbation for the good of the kingdom, if there yet remained any thing to be asked of him. Notwithstanding which message, they spent most of their time upon the bill for extirpation of bishops, deans, and

the Protestation, expressing great indignation that the Lords should refuse to concur with them in any thing they proposed. And thereupon they caused a short bill to be prepared for the utter abolition of archbishops, bishops, deans and chapters, out of the Church of England, which was brought into the House of Commons within three days after the other was refused above, he that preferred it using these verses of Ovid, after some sharp mention of the Lords' non-concurrence:

Cuncta prius tentanda, sed immedicabile vulnus
Ense recidendum est, &c.

Which bill was shortly after committed, and took up the whole time of the House for near eight weeks together, till they found it was easier to resolve to destroy the government that was than to agree upon any other in the place of it; and till their own clergy, who most passionately and seditiously laboured to overthrow bishops, deans, and chapters, declared publicly at the bar, (where they were licensed to speak in answer to what some cathedral men alleged for their corporations,) that though it was very fit and just to take away the lands of the Church from the bishops, deans, and chapters, which now enjoyed them, yet that it was not lawful to alien those lands to any profane or lay use: which being so contrary to their ends who principally pursued the extirpation, caused them for a time to give over that violent prosecution, and to suffer the bill to sleep.']

chapters, without finishing either the Act of Pacification be- 1641
tween the two nations or giving order for the disbanding the army.

233. It was wondered at by many, and sure was a great misfortune to the King, that he chose not rather at that time (though the business was only to disband) to constitute the earl of Essex general of his army than the earl of Holland; for (besides that it would have been an act of much more grace and satisfaction to the people and to the soldier) his majesty, having lately given him so great an earnest of his trust as the making him Chamberlain of his house, ought in policy to have pursued that work by any seasonable accumulation of favour till he had made him his perfect creature, which had been very easy if skilfully attempted: for his pride and ambition (which were not accompanied with any habit of ill nature) were very capable of obligations, and he had a faithfulness and constancy in his nature which had kept him always religious in matter of trust: then, he was almost a declared enemy to the Scotch nation, and would have been very punctual in all formalities and decencies which had[1] any relation to his master's honour or the honour of the nation. In a word, he might have been imposed upon in his understanding, but could not have been corrupted by hopes or fears what the two Houses could have done to him, and was then more the idol of the people than in truth the idolater of them.

234. Whereas, by making the earl of Holland general, he much disobliged the other who expected it, and to whom it had been in a manner offered, and made him apprehend some distrust in the King towards him, and that his former favour in office had been conferred on him rather because no man else had been able to bear the envy of displacing the earl of Pembroke than that his own merit and service was valued. Then the person upon whom he conferred that honour had formerly disappointed him, and often incurred his displeasure and wore some marks of it; and was of no other interest or reputation with the party which could do mischief than as a person so

[1] ['had had,' MS.]

1641 obnoxious to them, in the mis-executing his great and terrible office of Chief Justice in Eyre [1], by which he had vexed and oppressed most counties in England, and the most considerable persons in those counties, and in other particulars, that they knew he durst not offend them, and would purchase their protection and good opinion at any price: as it fell out; for within few days after the King was gone through that army, Aug. 13. in his way to Scotland, he wrote a letter [2], which was commu- Aug. 16. nicated to both Houses, in which he mystically expressed some new design to have been set on foot for corrupting the army, for which there was never after the least colour given, but served then to heighten the old jealousies, and to bespeak a misunderstanding for whatsoever should be proposed on his majesty's behalf during his absence.

235 [3]. After their great end was obtained in the execution and death of the earl of Strafford, all men now believed that they would be very forward in dismissing the Scottish army and disbanding the other which cost the kingdom so vast a sum of money every month; and they had already voted a brotherly assistance to the Scots of three hundred thousand pounds, for the service they had performed, and an Act was already prepared for the raising the sum: but they had yet no mind to part with their beloved *Brethren*.

236. The commissioners who treated with the Scots had June 9. agreed that the King should be present in his Parliament at Edinburgh, by such a day in July, to pass the Act for Pacification between the two kingdoms, and such other Acts as his Parliament there should propose to him, and his majesty prepared to begin his progress soon enough to be in Scotland by the time; and they resolved, on all sides, that the one army should be drawn out of the kingdom, and the other totally disbanded, before the King should arrive in the northern parts, for many reasons. As they had lost all confidence in the affections

[1] [He was appointed Chief Justice in Eyre for the South of England in 1631.]

[2] [See book iv. § 2, and note to § 78.]

[3] [§§ 235–242 from the MS. of the *Life*, pp. 121–2.]

of the English army, so there were many jealousies arisen among the Scots, both in their army and amongst their greatest counsellors. Notwithstanding all which, instead of making haste to the disbanding, they published much jealousy and dissatisfaction to remain with them of the Court; 'there were some evil counsellors still about the King, who obstructed many gracious acts which would otherwise flow from his goodness and bounty towards his people, and made ill impressions in him of the Parliament itself and its proceedings.' 1641 June 24.

237. Their design was to remove the duke of Richmond from the King, both because they had a mind to have his office of Warden of the Cinque-Ports from him that it might be conferred on the earl of Warwick, and as he was almost the only man of great quality and consideration about the King who did not in the least degree stoop or make love to them, but crossed them boldly in the House, and all other ways pursued his master's service with his utmost vigour and intentness of mind. They could not charge him with any thing like a crime, and therefore only intended by some vote to brand him and make him odious; by which they presumed they should at last make him willing to ransom himself by quitting that office, for which there was some underhand treaty by persons who were solicitous to prevent farther inconveniences; and, as they found any thing like to succeed in that, they slackened or advanced that discourse of 'evil counsellors.'

238. One day they were very warm upon the argument, and had a purpose to have named him directly, which they had hitherto forborne to do, when Mr. Hyde stood up, and said, 'He did really believe that there yet remained some evil counsellors who did much harm about the King; and that it would be much better to name them than to amuse the House so often with the general mention of them, as if we were afraid to name them:' he proposed 'that there might be a day appointed, on which, upon due reflections upon those who had been most notorious in doing mischief to the public, we might most probably find who they were who trod still in the same paths, and might name them accordingly; and that, for his

1641 part, if a day were appointed for that discovery, he would be ready to name one who, by all the marks we could judge by and by his former course of life, might very reasonably be believed to be an evil counsellor.'

239. They were exceedingly apprehensive (as they had cause) that he meant the marquis of Hambleton, (who, for the reasons aforesaid, was very dear to them,) and thenceforward[1], though they desisted not from persecuting the duke till at last 1643 they had compelled him to quit the Cinque-Ports to the earl Nov. 23–Dec. 6. of Warwick, they no more urged the discovery of 'evil counsellors.' And all the familiar friends of Mr. Hyde were importuned to move him not to endeavour to do any prejudice to the marquis of Hambleton, and even the King himself was prevailed with to send to him to that purpose: so industrious was that people to preserve those whom for private ends they desired to preserve, as well as to destroy those who they desired should be destroyed.

240. When every body expected that nothing should be mentioned in the House but the despatch of the treaty of the Pacification by the commissioners on both sides, which was the only obstruction to the discharge of the armies, and which could be done in two days, if they pursued it; they called, in a morning, for the bill (that had so long before been brought in by sir Edward Dering) 'for the extirpation of episcopacy,' and gave it a second reading[2]; and resolved that it should be committed to a committee of the House, and that it should be proceeded upon the next morning. It was a very long June 11. debate the next morning[3], after the Speaker had left the chair, who should be in the chair for the committee; they who wished well to the bill having resolved to put Mr. Hyde into the chair, that he might not give them trouble by fre-

[1] ['that thenceforward,' MS.]

[2] [The first and second readings were both taken on the same day, May 27; see § 156. The proposal to resume it was made on June 7.]

[3] [The debate was not actually resumed until June 11, when Hyde was appointed chairman of the committee. The *Diurnal Occurrences* (4°. 1641, p. 122) relate that on that day the debate lasted from 7 o'clock in the morning till night.]

quent speaking, and so too much obstruct the expediting the bill; they who were against the bill pressed and called loud for Mr. Crew to be in the chair: but in conclusion, Mr. Hyde was commanded to the chair; they who were enemies to the bill being divided in opinion, many believing that he would obstruct the bill more in that place than if he remained at liberty; and they found it to be true. 1641

241. The first day the committee sat full seven hours, and determined that every day, as soon as the House was resumed, the chairman should report the several votes of that day to the House, which should determine them before it rose; which was without any precedent, and very prejudicial to the grave transaction of the business: for, besides that it was a pre-engaging the House in its judgment when the bill engrossed should be put to the question, it was so late every day before the House was resumed, (the Speaker commonly leaving the chair about nine of the clock, and never resuming it till four in the afternoon,) that it was very thin; they only who prosecuted the bill with impatience remaining in the House, and the other[s] who abhorred it, growing weary of so tiresome an attendance, left the House at dinner-time, and afterwards followed their pleasures: so that the lord Falkland was wont to say that they who hated bishops hated them worse than the devil, and that they who loved them did not love them so well as their dinner.

242. However, the chairman perplexed them very much; for (besides that at the end of his report every day to the House, before the House put the question for the concurrence in the votes, he always enlarged himself against every one of them, and so spent them much time,) when they were in the heat and passion of the debate he oftentime ensnared them in a question: so that when he reported to the House the work of the day, he did frequently report two or three votes directly contrary to each other, which, in the heat of their debate, they had unawares run into. And after near twenty days spent in that manner they found themselves very little advanced towards a conclusion, and that they must review all

1641 that they had done; and the King being resolved to begin his journey for Scotland, they were forced to discontinue their beloved bill and let it rest; sir Arthur Haslerigge declaring in the House that 'he would never hereafter put an enemy into the chair:' nor had they ever after the courage to resume the consideration of the bill till after the war was entered into.

243[1]. The time being come, within two or three days, (according to his former declaration,) for the King's journey into Scotland, the House of Commons thought it time to lay aside their disputes upon the Church, which every day grew more involved, and to intend the perfecting the Act of Pacification and the order for disbanding, both which were thought necessary to be despatched before his majesty should begin his progress, and might have been long since done. On a sudden the House of Commons grew into a perplexed debate concerning the King's journey into Scotland (which had been long before known, and solemnly promised by his majesty to the commissioners of Scotland, where preparation was made for his reception, and the Parliament summoned there accordingly); expressed many dark and doubtful apprehensions of his safety, not without some glances that if his majesty were once with his army he might possibly enter upon new counsels before he consented to disband; and in the end concluded,
June 24. to desire the Lords to join with them in a request to the King to defer his journey into Scotland till the Act of Pacification was passed, the armies disbanded, and till such other Acts were prepared as should be thought necessary for the good of the kingdom; without mentioning any time against which those things should be ready: which, though it was an unreasonable request, yet most men having no mind he should
June 26. go into Scotland, it was consented to by both Houses. And thereupon an address was made to his majesty to that purpose: who returned his answer, 'that he was sorry the Houses, having had so long notice of his intention for that journey, which could not but appear very necessary to them, had neglected to prepare all such things as were necessary to be

[§§ 243–iv. 15, from the MS. of the *Hist.*, pp. 68–81.]

despatched by him before he went; that, though his presence in Scotland was depended upon by such a day, and the disappointment might beget some prejudice to him, yet he was content to satisfy their desires so far as to defer his journey for 14 days; within which time they might make all things ready that were of importance, and beyond which time it would not be possible for him to make any stay[1].' 1641

244. This time being gotten, they proceeded but slowly in the direction for disbanding, (though the earl of Holland was gone down to the army,) or in the Act of the Pacification; but continued their mention of fears and jealousies of the peace of the kingdom, of an invasion from foreign parts, and an insurrection of the Papists in England: for all which, they said, there was not yet sufficient provision by the laws and constitution of the kingdom. And therefore one day sir Arthur Haslerigge (who, as was said before, was used by that party, like the dove out of the ark, to try what footing there was) preferred a bill 'for the settling the militia of the kingdom, both by sea and land, in such persons as they should nominate;' with all those powers and jurisdictions which have been since granted to the earl of Essex or sir Thomas Fairfax by land, or to the earl of Warwick by sea. There were in the bill no names, but blanks to receive them when the matter should be passed; though men were assured that the earl of Essex was their confidant by land, and the earl of Northumberland by sea: and yet the inclination to the earl of Warwick would have begot some disturbance if the matter had come then to be pressed. Dec. 7[2].

245. When the title of this bill was read, it gave so general an offence to the House, that it seemed inclined to throw it out without suffering it to be read, not without some reproach

[1] [This is probably intended to represent the answer given on June 29, when the two Houses, after consultation with the Scottish commissioners, requested the King to defer his journey until Aug. 10, but the words reported in the text are not found in Rushworth, Nalson, or the *Journals*. On Aug. 8 both Houses agreed to ask for a further postponement for 14 days.]

[2] [Verney's *Notes of the Long Parl.*, p. 132.]

1641 to the person that brought it in, as a matter of sedition; till Mr. St. John, (the King's Solicitor,) rose up, and spake to it, and (having, in truth, himself drawn the bill) said, 'he thought that passion and dislike very unseasonable, before the bill was read; that it was the highest privilege of every member that he might propose any law, or make any motion, which in his conscience he thought advantageous for the kingdom or the place for which he served. For the matter which by the title that bill seemed to comprehend, he was of opinion that something was necessary to be done in it; for he was sure that such power as might be necessary for the security of the kingdom over the militia was not yet by law vested in any person, or in the Crown itself: that they had lately by their votes blasted and condemned the power of lord lieutenants, and their deputies, which had been long exercised and submitted to by the people; that, since that was determined, it was necessary to substitute such in the room as might be able to suppress any insurrection or resist an invasion: and therefore that it was fit to hear the bill read; and if any fitting expedient were proposed in it to that purpose, to embrace it; otherwise, to think of a better. For the nomination of persons, it would not be seasonable to speak of it till the power and jurisdiction were first settled and constituted: and then, if it seemed too great for any subject, it might be devolved upon the Crown; which yet was not sufficiently possessed of a legal power to the purposes aforesaid.'

246. Upon this discourse by a person of the King's sworn Council, the bill was read; but with so universal a dislike that it was never called upon the second time[1], but slept, till long after the matter of it was digested in ordinances.

247. The peremptory day again drawing very near for the King's journey into Scotland, and very little done towards the public since the time they had prevailed with his majesty
Aug. 7. to suspend it, on a Saturday in the afternoon (the progress being to begin on Monday) they fell into unusual passion again against the King's going into Scotland: the which

[1] [It was rejected by 158 to 125. *Commons' Journals*, ii. 334.]

they thought of so great importance to be hindered that they resolved (and prevailed with the Lords to do the like) to sit the next day, being Sunday, which had never before been known since the first institution of Parliaments, and which they thought fit to excuse by a short declaration, that the people might not be thereby encouraged to profane the sabbath. 1641 Aug. 8.

248. When they found the King constant to his former resolution, and that all they could allege could prevail no farther with him than, whereas he intended to go Monday after dinner, to stay till Tuesday morning, they very earnestly proposed, 'that he would leave a commission with some persons, to pass such Acts as should be prepared and pass both Houses in his absence; and to make a *Custos regni* to supply the place of government till his return:' with many other extravagancies, which themselves understood not. But when they found that no such commission could be legally granted to consent to any Acts that were not consented to by both Houses at the date of the commission; and that both the person and the powers of a *Custos regni* would be duly weighed and would take up much consideration if the King were willing to satisfy them; they were contented with a commission to the earl of Essex of lieutenant-general of that side Trent: which his majesty having granted, and confirmed the Act of Pacification between the two kingdoms, (which in great haste was transacted in both Houses, as if it had been only matter of form,) he took his journey from London towards Scotland toward the middle of August, leaving both Houses sitting at Westminster. July 29. July 28. Aug. 10.

249. The unexpected passion and importunity to hinder his majesty's journey into Scotland was not well understood, and the less for that the governing party was divided upon it: some of them, with trouble equal to what they had at any time expressed, insisting upon his not going; others alleging that his majesty was so far engaged in it that he could not in honour recede from it: whilst the Scotch commissioners, who were often appealed and referred to in the debate, answered so mysteriously as argued rather a con-

1641 veniency and expectation of the journey itself than any necessity in point of time. Neither was the ground of his majesty's so positive and unalterable resolution of going thither sufficiently clear to standers by, who thought he might have transacted the business of that kingdom (where he could not reasonably expect any great reverence to his person) better at a distance, and that his presence might be more necessary in this.

250. But, as his majesty's impatiency to see both armies disbanded and this kingdom freed from the invasion, (both which he heartily desired,) and his desire to refresh himself from the vexation which the two Houses, or one of them, or some in one of them, daily gave him, hurried him to that expedition without well weighing and preparing how to comport himself through it, so, no doubt, that opposition and instance against it (besides the natural desire they had to remove the King from any fixed resolution) proceeded partly to procure an excuse for the hasty passing the bill of Pacification; which they had purposely retarded, foreseeing there were many particulars in it that if weighed would never have been consented to, till they might be so straitened in time that whoever objected against what was offered might seem to hinder the disbanding, and to necessitate the King's longer stay: but principally hoping that his majesty, rather than defer his journey, to which he was resolved, would consent to any unreasonable qualifying such person whom they should name with power in his absence; except there were some real jealousy of the Scots at that time, and between the Scotch commissioners themselves, (as was conceived by some,) by reason of great addresses made to the King by the earl of Rothesse, the principal and governing person of that nation, and some insinuation of favour from his majesty to him; and so that they did in earnest desire to put off that journey, for fear of disturbance there.

251. The truth is, the King was well satisfied with the promises made to him by that earl, who desired to live in this Court, and should have been shortly made gentleman of the bedchamber, and had himself a hope to marry a great and

wealthy lady[1]: and it is certain the King expected by his help and interest to have found such a party in Scotland as would have been more tender of his honour than they after expressed themselves, and did always impute the failing thereof to the absence of that earl, who, being sick at the King's going from London, within six weeks after died[2]. But others believed he had been so far guilty of what had been done amiss, that he would neither have been able or willing to preserve the foundation of that power which could hardly have forgotten by what means it had been oppressed. 1641 Aug. 23.

252. I must not omit here the disbanding another army, about the same time; the circumstances whereof were very remarkable, and the cause of much trouble that ensued. The King perceiving that he was not now like to have any use of the new army in Ireland, at least not that use for which it was raised, (which was, to have visited Scotland,) and finding often mention enviously and maliciously made of that army in the House of Commons, and having from thence (by the advice of the committee for Ireland) received some addresses for that purpose, resolved to disband them; and, to that end, signified his pleasure to the Lord Justices of Ireland, and to the earl of Ormond, his lieutenant-general of that army; directing withal (according to the last advice he had received from the earl of Strafford) that any officers of the army should have free leave to transport what men he could get of that army for the service of any prince in amity with this Crown. And shortly after, upon the earnest desire of don Alonzo de Cardenas, ambassador from the King of Spain, his majesty consented that four thousand soldiers of that army should be transported for the service of that King into Flanders; at the same time permitting as many as desired the same to be transported for the service of the French King. This was no sooner known but the House of Commons interposed, with their accustomed confidence and distemper, to beseech his majesty to revoke that license: and, by impertinent and slight reasons, boldly urged March 15. May 7. Aug. 6.

[1] ['the countess of Devonshire,' struck out in the MS.]

[2] [See book iv. § 23.]

1641 and insisted on, as they did in every thing else, prevailed with the King to inhibit the transporting any of those soldiers out of that kingdom for the service of any prince whatsoever.

253. Many were of opinion that this activity in a business of which they had not the least conusance, proceeded from the instigation of the ambassador[1] of the French King, who was very conversant with the principal persons of that faction, and no doubt fomented those humours out of which the public calamities were bred; and some said boldly, and an obscure person or two have since affirmed it as upon their knowledge, 'that Mr. Pimm received £5000 from that French minister to hinder that supply to Spain.' Others believed that it proceeded only from that proud and petulant spirit which possessed them, to lessen the reputation of the King, and to let the King of Spain and all other princes see the power they had to oppose and cross his resolutions in the most pure acts of sovereignty. But I believe, though there might be a mixture of both the other reasons, the principal motive that induced them to that interposition was the advice and desire of the committee from the Parliament of Ireland, whose counsel was entirely followed in whatsoever concerned that kingdom, and who no doubt had then designed the rebellion that shortly after brake out, which could hardly have taken effect if that body of men had been removed out of the kingdom according to the King's direction. But of that more in its place.

254. As soon as the King began his journey for Scotland, all orders, and what else was necessary, were despatched for the
Aug. 14. disbanding; and a resolution taken to send a committee of Lords and Commons to attend his majesty (that is, to be a spy upon him) in Scotland, and to be present when the Act of Pacification should be transacted in that Parliament, and to preserve the good intercourse and correspondence which was begun between the two nations: but, in truth, to lay the scheme[2] how the next year should be spent, and to bespeak new laws for this kingdom by the copies of what should be consented to for that.

[1] [De La Ferté Imbault.]

[2] [Misread as 'scene' in former editions, the MS. having 'sceme.']

255. In this errand two Lords and four of the Commons were 1641
appointed to go; but for the two Lords, the lord Howard of Esgrigg served [the] turn[1], who was naturally to be governed by Mr. Fynes and Mr. Hambden, who together with sir William Armyn made up the committee. Which being despatched, they thought it time to breathe a little, and to visit their counties, for whom they had done such notable service: and so, towards the latter end of August, (having first constituted a committee Sept. 9.
to sit during the recess for the despatch of any important occurrences, and qualifying them with power they could not depute; such a committee, and such a qualification, having never been before heard of in Parliaments,) both Houses adjourned themselves till the middle of October following, by which time they Oct. 20.
presumed the king would be returned from Scotland; having from the time that they were first convened, which was about nine months, (longer than ever Parliament had before continued together in one session,) besides all their extraordinary acts of blood and power, procured the King's assent to these following important laws, by which the kingdom might have received ample benefit and advantage:—

256. *A bill for the triennial Parliament*: which took up a long debate, there being many clauses, in case the Crown [should] omit the sending out of writs, derogatory to majesty and letting the reins too loose to the people: yet, since it was evident that unspeakable inconveniences had befallen the kingdom by the long intermission of those conventions, and that that intermission could not have happened if there had not been some neglect of what had been settled by former laws, and therefore there was some reason for those clauses, by which the Crown could in no case suffer but by its own default, it found an easy passage through both Houses, and by his majesty (who was satisfied that such a frequency of meeting with his people as once in three years might be more convenient than prejudicial to his service, and believed that by his consenting to this Act the proceedings in this Parliament would be more

[1] [The Earl of Bedford was the second peer who was nominated, and Sir Philip Stapleton the fourth commoner.]

1641 moderate) had an equal reception, and was enacted by him the
Feb. 16. next day after it passed both Houses.

257. *An Act for the taking away the High Commission court:* which comprehended much more than was generally intended. That jurisdiction was erected by a statute in the first year of Queen Elizabeth, instead of a larger power which had been exercised under the Pope's authority, then abolished; and whilst it was exercised with moderation was an excellent means to vindicate and preserve the dignity and peace of the Church, though from the beginning it was not unmurmured against by the nonconformable party of the kingdom.

258. But of late it cannot be denied that, by the great power of some bishops at Court, it had much overflowed the banks which should have contained it, not only in meddling with things that in truth were not properly within their conusance, but extending their sentences and judgments in matters triable before them beyond that degree that was justifiable; and grew to have so great a contempt of the Common Law and the professors of it, (which was a fatal unskilfulness in the bishops, who could never have suffered whilst the Common Law had been preserved,) that prohibitions from the supreme courts of law, which have, and must have, the superintendency over all inferior courts, were not only neglected, but the judges reprehended for granting them, (which without perjury they could not deny,) and the lawyers discountenanced for moving them, (which they were obliged in duty to do); so that thereby the clergy made a whole nation, that is, almost a whole profession, if not their enemy, yet very undevoted to them.

259. Then, it was grown from an eccclesiastical court for the reformation of manners to a court of revenue, and imposed great fines upon those who were culpable before them, sometimes above the degree of the offence had the jurisdiction of fining been unquestionable, which it was not. Which course of fining was much more frequent and the fines heavier after the king had granted all that revenue, whatsoever it should prove to be, to be employed for the reparation of St. Paul's church; which, (though it were a glorious work, and worthy the piety of those

who advanced it and the greatness of his mind who principally intended it,) made the grievance less popular. 1641

260. By these means, besides the conflux and reputation of that part of the clergy which had formerly been obnoxious, and suppressed by the bishops, (which I do not mention as any piece of their exorbitancy, for I do not know that ever any innocent clergyman suffered by any ecclesiastical censure, though, it may be, the guilty were more severely proceeded against, and with less politic circumstances, than the nature of that time required) that court had very few friends, and, having many enemies, the proposition for abolishing it was easily hearkened to; of which the violent party easily taking notice, they who prepared the bill inserted clauses that not only took away the High Commission court, which was intended, but, upon the matter, the whole ecclesiastical jurisdiction; and, under pretence of reforming the great abuses by the oath *ex officio* and excommunication, destroyed and cancelled all coercive power whatsoever in those courts, which was never intended: yet, in that hurry, [it] made a progress through both Houses, and attended the royal assent. July 2. But, when his majesty understood the extent thereof, and how far the body of the bill exceeded the title, and that, instead of reformation, it was opening a door to the most scandalous offences, and leaving adultery and incest as unpunishable as any other acts of good fellowship, he made a pause in the consenting to it till both Houses might review whether their remedy were proportionable to the disease.

261. Immediately the fire was kindled against the bishops, as the only obstacles to any reformation; with some passionate insinuances that, since they opposed a due regulation of their power, there would be no way but to cut them off root and branch. And thereupon some bishops themselves were again made instruments; and others who pretended to take care of the Church persuaded the King 'for the bishops' sake' to confirm that bill: whilst the designers were much pleased to find that logic prevail, little doubting that, when they had taken away their jurisdiction in the Church by that bill, and their dignity in the state by removing them out of the House of Peers,

1641 they should find it no hard matter to abolish their names and titles out of the kingdom, and to enjoy their goodly lands and revenues, which could only make the reformation perfect and
July 5. complete. And in this manner that law was enacted.

262. *A bill for taking away the Star-Chamber court.* The progress of which bill was this. The exorbitances of this court had been such (as hath been before touched) that there were very few persons of quality who had not suffered or been perplexed by the weight or fear of those censures and judgments. For, having extended their jurisdiction from riots, perjury, and the most notorious misdemeanours, to an asserting all proclamations and orders of state, to the vindicating illegal commissions and grants of monopolies, (all which were the chief groundworks of their late proceedings,) no man could hope to be longer free from the inquisition of that court than he resolved to submit to those and the like extraordinary courses. And therefore there was an entire inclination to limit and regulate the pro-
March 30, 31. ceedings of that court: to which purpose a bill was brought in, and twice read, and, according to custom, committed. It being
April 2. returned after by the committee, and the amendments read, it was suddenly suggested, by a person not at all inclined to confusion or to the violent party that intended that confusion, 'that the remedies provided by that bill were not proportionable to the diseases; that the usurpations of that court were not less in the forms of their proceeding than in the matter upon which they proceeded; insomuch that the course of the court (which is the rule of their judging) was so much corrupted that the grievance was as much in those cases of which they had a proper conusance, as by their excess in holding pleas of that in which in truth they had no jurisdiction: and therefore he conceived, the proper and most natural cure for that mischief would be utterly to abolish that court, which [it] was very difficult, if not impossible, to regulate, and in place thereof to erect and establish such a jurisdiction as might be thought necessary.' Hereupon the same bill was re-committed, with direction so far to alter the frame of it as might serve utterly to take away and abolish that court, which was accord-

ingly done; and again brought to the House, and engrossed, and sent up to the Lords. So that important bill was never read but once in the House of Commons, and was never committed; which, I believe, was never before heard of in Parliament. 1641 May 31. June 8, 9.

263. It could not meet with any opposition in the House of Peers, all who had been judges there having their several judgments hanging like meteors over their heads, and the rest being either grieved or frighted by it: and so, being brought to his majesty, received his royal assent. July 5.

264. Thus fell that high court, a great branch of the prerogative; having been rather extended and confirmed than founded by the statute of the tenth year of King Harry the Seventh[1]: for no doubt it had both a being and a jurisdiction before that time, though vulgarly it received date from thence; and whilst it was gravely and moderately governed was an excellent expedient to preserve the dignity of the King, the honour of his Council, and the peace and security of the kingdom. But the taking it away was an act very popular; which, it may be, was not then more politic than the reviving it may be thought hereafter, when the present distempers shall be expired.

265. *An Act for the certainty of the metes, bounds, and limits of all the forests in England*: which was a great benefit and ease to the people, who had been so immoderately vexed by the Justice in Eyre's seat, (exercised with great rigour by the earl of Holland, and revived by Mr. Noy when he was Attorney-General,) that few men could assure themselves their estates and houses might not be brought within some forest; the which if they were, it cost them great fines: and therefore, to ease them of their future fears, the King departed with his own unquestionable right, which would a year before have been purchased at the price of two hundred thousand pounds without any murmur for severity. Aug. 7.

266. *An Act, that no clerk of the market of his majesty's house should execute his office in any part of the kingdom but only within the verge of the Court: and the execution of that office granted to mayors and bailiffs of towns corporate, and to the* Aug. 10.

[1] [3 Hen. VII. c. 1, A.D. 1487.]

1641 *lords of liberties and franchises, and to their deputies*: by which the people through England were freed from many petty vexations and extortions, which the deputies and agents for that office (who commonly farmed the perquisites of that office within several limits) exercised over them. And let no man say that this was but an act of justice, for the redress of visible misdemeanours which his own officers were guilty of, and that his majesty parted with nothing of profit to himself by that act; for the misdemeanours of any office may be prevented and punished and redressed without the taking away or suppressing the office itself, which is an instance of power and prerogative. And the other was used as an argument heretofore (which few have since approved) for the passing away most of the old rents of the Crown, 'that they yielded little profit to the Crown, being always swallowed by the many officers incumbent to that service;' without considering that even those many officers are of the essential honour and greatness of princes. But as that computation was very erroneous in point of thrift, so it is much more scandalous in point of power; and he that thinks the King gives away nothing that is worth the keeping, when he suffers an office which keeps and maintains many officers to be abolished and taken away, does not consider that so much of his train is abated, and that he is less spoken of, and consequently less esteemed, in those places where that power formerly extended; nor observes how much private men value themselves upon those lesser franchises and royalties, which especially keep up the power, distinction, and degrees of men.

Aug. 10. 267. *An Act for the prevention of vexatious proceedings touching the order of knighthood*: by which, to expiate the trespasses which had been lately committed by the rigorous circumstances of proceeding upon that claim, the King parted with and released to his people a right and duty as unquestionably due to him by the law as any service he can lay claim to, and such, as the subject received the discharge of it as a singular benefit and advantage to him.

Aug. 10. 268. *An Act for the free making saltpetre and gunpowder within the kingdom*: which was a part of the prerogative, and

not only considerable as it restrained that precious and dan- 1641
gerous commodity from vulgar hands, but as in truth it brought a considerable revenue to the Crown, and more to those whom the Crown gratified and obliged by that license. The pretence for this exemption was the unjustifiable proceeding of those (or of inferior persons qualified by them) who had been trusted in that employment, by whom it cannot be denied many men suffered: but the true reason was, that thereby they might be sure to have in readiness a good stock in that commodity, against the time their occasions should call upon them.

269. *An Act against divers encroachments and oppressions in* Aug. 7.
the stannery courts: the logic of which Act extended itself to all inferior courts and manner of proceeding throughout the kingdom; though the full measure of that benefit seemed to be poured out upon the two counties of Cornwall and Devonshire, the people whereof had been so much oppressed by the jurisdiction of that court, (supported and extended with great passion and fury by the earl of Pembroke, the Lord Warden of those stanneries,) that both prohibitions and *habeas corpus's* from the King's Bench had been disobeyed and neglected, not without some personal affront and reproach to all the judges of that court: and therefore it could not but be great ease of heart to those parts to be freed from the exorbitancy of that oppression.

270. *An Act whereby all the proceedings in the business of* Aug. 7.
ship-money were adjudged void and disannulled, and the judgments, enrolments, and entries thereupon vacated and cancelled; which, how just and necessary soever, was a frank departure from a right vindicated by a judgment in the Exchequer-chamber before all the judges in England, and therefore deserved a just acknowledgment; besides that some clauses in that statute assert the subject's liberty and property beyond what was done by the Petition of Right, which needed an additional establishment.

271. These Acts of Parliament finished and enacted in the time we speak of, (besides the quitting the long used right of imposing upon foreign trade, in the preamble of the bill for

1641 tonnage and poundage, and besides that fatal bill for the continuance of this Parliament) will be hereafter acknowledged by an incorrupted posterity to be everlasting monuments of a princely and fatherly affection to his people, and such an obligation of repose and trust from the King in the hearts of his subjects that no expressions of piety, duty, and confidence, from them, could have been more than a sufficient return on their parts: which how they performed, is to follow in the next place[1].

[1] ['Finis libri 2^di^, 15 June 1646, at Jarsy:' note in the MS. The following book was first numbered '3,' but was altered to '4.']

THE END OF THE THIRD BOOK.

BOOK IV.

1. [1] When the King came to York, which was about the middle 1641
of August, he found no part of either army disbanded; for
though orders had been issued to that purpose, yet the money
without which it could not be done was not yet come to their
hands; and because so great a sum could not be presently pro-
cured as would satisfy both, an Act of Parliament had been
passed for the satisfaction of the principal officers of the Aug. 7.
King's army, by which they were promised payment upon the
public faith in November following; till which time they were
to respite it, and be contented that the common soldiers
and inferior officers should be fully satisfied upon their dis-
banding.

2. During the time of the King's abode at York, which was not many days, the earl of Holland, lord general, made a suit to him for the making a baron, which at that time might have been worth to him ten thousand pounds. Whether the King apprehended the making an unfit man, who might disserve him in the House of Peers, or whether he resolved to contain himself from enlarging that number except upon an extraordinary relation to his own service, I know not: but he thought not fit at that time to gratify the earl: by which he took himself to be highly disobliged, (as the courtiers of that time took whatsoever was denied to them to be taken from them,) and, having received some information from sir Jacob Ashley and sir John Conyers of some idle passages in the late tampering with the army to petition, which had not been before heard of, as soon as the King was gone towards Scotland (though his majesty hath since told me that he thought he had left the earl at parting in very good humour and devotion to his service) he wrote a letter to the earl of Essex, to be communicated in Parliament, 'that he found there had been strange attempts made to pervert and

[1] [MS. of *Hist.* p. 77.]

1641 corrupt the army, but he doubted not he should be able to prevent any mischief[1];' the whole sense being so mysterious that it was no hard matter, after it was read in both Houses, to persuade men that it related to somewhat they had yet never heard; and being dated on the 16th day of August, which must be the time that the King was there, or newly gone, (for he took his journey from London on the 10th,) seemed to reflect on somewhat his majesty should have attempted. Hereupon their old fears are awakened, and new ones infused into the people; every man taking the liberty of making what interpretation they pleased of that which no man understood.

3. The Papists were the most popular common-place, and the butt against whom all the arrows were directed; and so,
Aug. 30. upon this new fright, an order was made by both Houses for disarming all the Papists in England: upon which and the like orders though seldom any thing was after done or no matter of moment, yet it served to keep up the fears and apprehensions in the people of dangers and designs, and to disincline them from any reverence or affection to the Queen, whom they began every day more implacably to hate and consequently to disoblige. And, as upon those and the like light occasions they grew to a license of language without the least respect of persons, of how venerable estimation soever, so they departed from any order or regularity in debate, or rules and measure in judging; the chief rulers amongst them first designing what they thought fit to be done, and the rest concluding any thing lawful that they thought in order to the doing or compassing the same: in which neither laws nor customs could be admitted to signify any thing against their sense.

4. I remember about that time, in the providing money for the disbanding the armies, upon which they were marvellously solicitous from the time that the King went towards the north,
Sept. 8. there arose a question, whether Wilmot, Ashburnham, and Pollard should receive their pay due to them upon their several commands, lying under the charge of the plot for bringing up and corrupting the army; very many passionately alleging that

[1] [See Rushworth, iii. 375; and note to § 78, *infra*.]

'such men ought not to receive their pay who had forfeited 1641
their trust:' yet there wanted not many who alleged that 'they had the security of an Act of Parliament for their payment, and that in justice it could not be detained from them; that, though they lay under the displeasure of the House, yet there was so far from a judgment that there was not so much as a charge against them, but that they were at liberty under bail; and therefore they could not be said to have forfeited any thing that was their own.' In this debate the House seemed equally divided, till one who well knew what he said told them that 'there could not be any reasonable pretence for detaining their due, as well for the reasons that had been given, as that they were absolutely pardoned by the late Act of Oblivion and Pacification between the two kingdoms:' the which was no sooner said than many of those who were before inclined to the gentlemen changed their opinions, and, without so much as calling to have the statute read, declared that 'they could have no benefit by that Act of Parliament, because then the same might be as well applied to the archbishop of Canterbury.' And so, without further weighing the law, or the reason, it was thought sufficient not only to exclude them from that benefit but to bar them from their money[1], lest they might be thought to be admitted to it for that reason, which might prove an advantage to another to whom they had no inclination to be just. And no question they had been overseen in the penning that statute; the words, in their true and genuine signification and extent, comprehending as well the archbishop of Canterbury as those who at that time had no contempt of the security they reaped thereby.

5. Soon after the King went into Scotland there being some motion to adjourn the Houses till after Michaelmas, which Aug. 26.
seemed to be generally inclined to, very many of both Houses, being willing to refresh themselves in the country after so long absence from their homes, (the summer being far spent, and the plague increasing, of which some members had died, and others

[1] [Carried in the morning of Sept. 8 in the negative by 49 to 41, but in the afternoon the decision was reversed by 29 to 23.]

1641 were in danger, having been in infected houses,) and conceiving that there was no more to be done till the return of the King, save only the procuring money to finish the disbanding, went into the country: and others who stayed in the town were less solicitous to attend the public service, but betook themselves to those exercises and refreshments which were pleasanter to them: insomuch as within twenty days after the King's remove there were not above 20 Lords nor much above 100 Commoners in both Houses. But this was the advantage they looked for; those persons continuing (especially in the House of Commons) to whose care and managery the whole reformation was committed. They now entered upon the consultation of the highest matters both in Church and State, and made attempts and entries upon those regalities and foundations, which have been since more evident in wider and more notorious breaches.

6[1]. So they assumed the power to control and reverse the licenses and power granted by the King to the Spanish ambassador for transporting 4000 Irish soldiers, upon the disbanding that army, into Flanders, (as was before touched,) and to the French ambassador for 3000 of the army disbanded here, for the service of that King; in debate whereof they used all license to look into the mysteries of state, and to weigh the interest of kingdoms, of which very few of them could be competent considerants, though they had been qualified by authority. In [these[2]] irregular and undutiful contests, the French ambassador, whose business was to foment the jealousies between the King and people, had insinuated himself into that liberty of transporting men for his master's service with no other design than to be thereby enabled to contribute towards the affronting the King by departing from it to ingratiate the Houses; and therefore, having very particular intercourse and correspondence with the prime managers, as soon as upon their first addresses his majesty had signified his engagement to the two Kings, and that he could not in honour recede from what he had promised, he voluntarily offered to acquit the King of that supply which

[1] [The whole of this section has been struck out in the MS.]

[2] ['this,' MS.]

concerned his master if his majesty would likewise retract what 1641
was expected by the Spaniard; which gave them opportunity so importunately to press his majesty, who had no other counsel to consult with upon any despatches but such who durst not contradict their overtures, (secretary Vane then waiting on him,) that he departed from his former resolutions and concessions, and so to common understanding disobliged two Crowns, with that disadvantage to himself that both thereby found his want of power; and the Spaniard from thence (besides the inflammation of the correspondence with Portugal) took occasion to comply with those who they found could do them hurt, whilst the French delighted themselves both with disappointing their enemy and cozening their friends, to whom in truth they were more irreconciled than to the other. Whether, in that conjuncture of the affairs of Christendom, the resolution was well taken of supplying those two Kings, or either of them, with soldiers at that time, or whether either kingdom could then well spare auxiliaries to another, I will not now consider; but the counsel being once taken, it was in view that the retracting of it by their advice who naturally were not counsellors in those mysteries, and yet were very apt to extend and usurp the jurisdiction and right of advising upon the least precedent of admission, would open a door to let in many bold desires to the King's disadvantage.

7. From this liberty and success of advising what was fit to be done without the walls of the kingdom, with reference to the levies for France and Spain, they assumed the same freedom of consulting and determining what was not fit within the walls of the Church; and finding their numbers to be so thin that they might, by art or accident, prevail with the major part to be of their mind and to gratify the more violent party of the reformers, (who with great impatience suffered themselves to be contained within any bounds or limits by those who knew better how to conduct their business,) they entered upon debate of the Sept. 1.
Book of Common Prayer, (which sure, at that time, was much reverenced throughout the kingdom,) and proposed, in regard (they said) many things in it gave offence, at least umbrage, to

1641 tender consciences, that there might be liberty to disuse it: which proposition was so ungracious that, though it was made in a thin House, and pressed by those who were of the greatest power and authority, it was so far from being consented to that by the major part (the House consisting then of about six score) it was voted, 'that it should be justly and duly observed.'

Sept. 1. 8. However, the next day [1], contrary to all rules and orders of Parliament, very many being absent who had been active in that debate, they suspended that order, and resolved that the standing of the communion-table in all churches should be altered; the rails (which in most places had been set up for the more decency) should be pulled down; that the chancels should be levelled, and made even with all other parts of the church; and that no man should presume to bow at the name of Jesus, (which was enjoined by a Canon, and of long usage in the Church;) and having digested these godly resolutions into an

Sept. 8. order, they carried it up to the Lords for their concurrence; promising themselves that from the small number which remained there they should find no dissent. But the major part of the Lords being much scandalized that the House of Commons should not only unseasonably and irregularly interpose in a matter of which they had not the least jurisdiction, but should presume to disturb the peace of the Church, and interrupt the settled and legal government thereof, by such schismatical presumption, not only refused to join with them, but, in-

Sept. 9. stead thereof, directed an order formerly made by the House of Peers, on the 16th of January before, to be printed, to this effect: 'That the divine service should be performed as it is appointed by the Acts of Parliament of this realm, and that all such as shall disturb that wholesome order shall be severely

[1] [The debates were on the same day. A vote 'for an addition to the order' noticed in this section, 'for preventing all contempt and abuse of the Prayer-Book,' was carried by 55 to 37. The *Diurnal* says (p. 351) that Sir John Culpeper moved on the same day that the Prayer-Book remain without alteration, and be observed with all reverence; and that the proposal to alter it was defeated by 60 'and some odde' to 55. But on Sept. 8 (after debate and divisions on Sept. 6) the proposed order about chancels, communion-tables, &c. was carried 'without any addition for the present.']

punished, according to the law;' and acquainted the Commons therewith, who, nothing satisfied, pursued their former order, and, commanding all the commons of England to submit to their direction, declared that the order of the Lords was made by the consent but of eleven lords and that nine other lords did dissent from it, and therefore that no obedience should be given thereunto. Whereas the order had been made in full Parliament seven months before, and was seasonably ordered to be published by the major part present upon that important occasion. And such an arraigning the House of Peers for publishing an order in maintenance of the laws established by those who had no authority to declare what the law was, nor a jurisdiction over those who should infringe the law, was so transcendent a presumption and breach of privilege that there was great expectation what the Lords would do in their own vindication. 1641 Sept. 9.

9. There was one clause in the Act of Pacification, 'that there should be a public and solemn day of thanksgiving for the peace between the two kingdoms of England and Scotland:' but no day being appointed for that act of in-devotion, the Lords and Commons assumed the power to themselves of directing it, and to that purpose made an ordinance, as they called it, that it should be observed on the seventh of September following throughout the kingdom of England and dominion of Wales. Which was done accordingly; the factious ministers in all pulpits taking occasion then to magnify the Parliament and the Scots, and to infuse as much malignity into the people against those who were not of that faction as their wit and malice could suggest; the House of Commons celebrating that day in the chapel at Lincoln's Inn, because the bishop of Lincoln, as dean of Westminster, had formed a prayer for that occasion, and enjoined it to be read on that day in those churches, which they liked not, both as it was formed and formed by him, and so avoided. Aug. 27.

10. After the solemnization of that day, and the making their declaration against the Lords about the order above mentioned, and the recommending some seditious unconformable

1641 ministers to be lecturers in churches about London, which the ministers were compelled to receive: when they had great apprehension by their members leaving them that they should not have forty remaining, less than which number could not constitute a House of Commons, they consented to a recess; and on the 9th day of September, 1641, they adjourned themselves till the 20th day of October following: either House irregularly (for the like had never before been practised) making a committee, to meet twice a week, and oftener if they saw cause, during the recess, and to transact such business as they were authorized to do by their instructions.

Sept. 9. 11. The House of Lords limited their committee (which consisted of the earls of Essex, Warwick, the lords Wharton, Mandevill, and twelve[1] more, but every three were as able to transact as the whole number) by their instructions, only to open the letters which should come from the committee in Scotland, and to return answers to them, with power to recall that committee when they thought fit; to send down moneys to the armies, and to assist about their disbanding, and in removing the magazines from Berwick and Carlisle.

12. But the House of Commons thought this power too narrow for their committee, and therefore, against order too (for the power of the committees of both Houses ought to have been equal), they qualified theirs (which consisted of Mr. Pimm, Mr. St. John, Mr. Strowde, sir Gilbert Gerard, sir Henry Mildmay, sir Harry Vane, alderman Pennington, captain Venn, and others, every six having the authority of the whole) as well with [the] powers granted to the Lords as likewise to go on in preparation of proceedings against such delinquents as were voted or complained against in the House, and to receive any offers that they should make; to send to all shrieffs and justices of peace upon information of any riots or tumults, to stir them up to their duty in repressing them, and to report to their House any failing in obedience to such their sending; to take the accounts of any accountants to his majesty, in order to the preparations of his majesty's revenue; to consider of framing and constituting

[1] [Thirteen.]

a West India company; and to consider the fishing upon the coasts of England, Scotland, and Ireland; and many other extravagant particulars, which neither of both Houses had to do with, but served to magnify the authority of that committee, and to draw resort and reverence to them from almost all sorts of men. 1641

13. The Houses being thus adjourned, the committee of the Commons appointed Mr. Pimm to sit in their chair; who forthwith with his own hand signed the printed declarations before mentioned of the 9th of September, and caused them to be so read in all churches in London and throughout the counties. Whereupon the seditious and factious persons caused the windows to be broken down in churches; broke down the rails, and removed the communion [table,] (which in many churches had stood in that manner ever since the Reformation,) and committed many insolent and scandalous disorders. And when the minister, and the graver and more substantial sort of inhabitants, used any opposition and resisted such their license, they were immediately required to attend the committee; and, if they could be neither persuaded or threatened to submit, their attendance was continued from day to day, to their great charge and vexation. If any grave and learned minister refused to admit into his church a lecturer recommended by them, (and I am confident there was not from the beginning of this Parliament one orthodox or learned man recommended by them to any church in England,) he was presently required to attend upon the committee, and not discharged till the Houses met again; and then likewise, (if he scaped commitment,) continued, to his intolerable loss and trouble: few men having the patience to endure that oppression, against which they knew not whither to appeal, and therefore in the end submitted to what they could not resist; and so all pulpits were supplied with their seditious and schismatical preachers.

14. The armies were at last disbanded: and about the end of September the earl of Holland in great pomp returned to his house at Kensington; where he was visited and caressed with great application by all the factious party: for he had now,

1641 (whether upon the disobligation, remembered before, of being denied the making a baron; or upon some information of some sharp expressions used by the Queen upon his letter, and the conscience of that letter; or the apprehensions of being questioned and prosecuted upon the enormities of his office of Chief Justice in Eyre, and other transgressions;) fully declared himself of their party. And that they might be the better prepared to keep up the prejudice to the King, and the keenness against the Court, against the coming together of both Houses, when they had reason to believe the observation of their crooked and indirect courses, and their visible unwarrantable breaches upon the Church and the religion established by law, would render men less devoted to them; his lordship furnished them with many informations of what had passed in the late army which might be wrested to the King's disadvantage; told them whatsoever the King himself had said to him when he looked upon him as a person true to him, and when it is very probable he was not much delighted with the proceedings at Westminster; and of all the particulars which sir Jacob Ashley and sir John Conyers had informed him, when they took him to be of entire trust with his majesty, and wholly under that consideration,
Oct. 29, 30. (whereupon they were afterwards examined, and compelled to testify that in public which they had before imparted to him in the greatest secrecy;) and added to all this, whatever information he had received by the lady Carlisle of words or actions spoken or done by the Queen which might increase their jealousy and malice to her majesty. And himself (who had been always believed a creature of the Queen's, and exceedingly obliged by her, and protected by her immediate and single grace and favour against the earl of Portland, the earl of Strafford, and the archbishop of Canterbury, in those high times when they had otherwise destroyed him) visited her majesty but once from the time of his return out of the north to the time of the King's return from Scotland, which was full six weeks. And yet there were some men still at those private meetings at Kensington who thought the Queen's favour a likelier means for their preferment than the interest of the others, and therefore

always gave advertisement to her of what passed in that com- 1641
pany: which information, for want of due care in the managery, and by reason of the unfaithfulness of her nearest servants, commonly produced somewhat of which the other side made greater advantage than she could do by the knowledge of their counsels and resolutions.

15[1]. The short recess of the Parliament, though it was not

[1] [§§ 15-32, from the MS. of the *Life*, pp. 124-127. In the *Hist.* (pp. 81, 82) the following account of the 'Incident' (cf. §§ 20-22) has been here struck out:—

'1. Upon the King's first coming into Scotland, there having been some jealousies and discontents in that army, the earl of Mountrose declaring himself an enemy to their proceedings, and being not only in disgrace but under restraint, as a person suspected too much to incline to the King; himself professing that he had been seduced by the specious pretences and false informations of the other party, the error whereof he had now discovered; others reproaching his levity and ambition, with being discontented at the greatness and reputation of the earl of Argyle, who appeared not so early in the first commotions as himself; the King was informed and advised by some of near trust about him, who had great correspondence with Mountrose, that the marquis of Hambleton had betrayed him throughout that whole great business, and that he and Argyle combined together to destroy him, and that if his majesty would give his consent they should be both accused of high treason. The King hath told me that (though he had reason enough to believe the worst that could be said of those two) he was positively against meddling with them at that time, both in respect of their very great interest in that kingdom, and the failing he conceived would be in the proofs against them, and especially that he had no reason to believe any attempt against him and the law could at that time be adjudged a crime by those who had the only liberty of judging. But being with great confidence assured by Will. Murr[a]y of his bedchamber, whom he singularly trusted, that the proofs would not be only full and sufficient, but that the major part of the nobility had so great indignation against those two lords, for their disserving his majesty and for making them instruments of bringing so great mischief upon so good a King, that they would join together, and that they should be no sooner accused of high treason but they should be immediately carried to prison, and then that it would be no hard matter to break their factions and master their dependants, the King was persuaded to refer it to themselves, every one well knowing that by the law of that kingdom the delator, if he failed in his proof, was to suffer the same punishment his accusation could bring, being proved, upon the other. About the same time, the lord Carr, eldest son to the earl of Roxborough, upon some private difference, but upon the public cause, had sent a challenge to the marquis of Hambleton by the earl of Cra[w]ford, who indeed was of an inveterate hatred to the marquis, the which being taken notice of, care was taken to prevent

1641 much above the space of a month, was yet a great refreshment to those who had sat near a full year, mornings and afternoons, with little or no intermission, and in that warm region where

that mischief. Upon a sudden, two or three days before the session was thought to end, the two great lords, Hambleton and Argyle, at midnight, with such followers as were at hand, fled out of the town to a house of the marquis Hambleton's, some miles distant from Edinburgh, where they stood upon their guard, their dependants giving it out that there was a plot to have murdered them. The town was presently in an uproar, the gates shut, and guards set, and the Parliament there in great disorder and apprehension; whilst the two lords writ letters both to the King and to the Parliament, of great conspiracies and combinations entered into against them, not without some reflection upon his majesty. The King desired the Parliament to be careful in the examination of all particulars, who thereupon made committees: and after some days spent in taking the deposition of such witnesses as offered themselves, and of such other persons whom they thought fit to produce, the lords return to Edinburgh, not without some acknowledgment to the King of an over-apprehension, though otherwise they carried themselves like men that thought they were in danger. That which gave most occasion of discourse was, that from that time Will. Murr[a]y (who was the only, or the most notable, prosecutor and contriver of whatsoever was to have been done in that business, and was before understood to be a most avowed enemy to marquis Hambleton) grew to be of a most entire friendship with him, and at defiance with the earl of Mountrose, with whom till then he had so absolute a power that by his skill and interest that earl was reduced to the King's service: and I have heard the earl of Mountrose say that he was the only man who discovered that whole counsel to the marquis, after he had been a principal encourager of what had been proposed to the King, and an undertaker to prove many notable things himself.

'2. Whatever was in this business, and I could never discover more than I have here set down, though the King himself told me all that he knew of it, as I verily believe, it had a strange influence at Westminster, and served to contribute to all the senseless fears they thought fit to put on. The committee in Scotland (Mr. Hambden, Mr Fynes, and the rest) writ, that the Parliament there was, with great harmony of affections, even concluding all the great affairs of that kingdom, and the King thinking upon his speedy return into England, but that there was unexpectedly fallen out an accident, by the sudden departure of the two great lords of Hambleton and Argyle (whom they loaded with the large attributes of piety and affection to the peace of the two kingdoms) from the Parliament and standing upon their guards, which, they said, had begot so general an amazement that they knew not what to apprehend; but for the better prevention of mischief, that strong guards were set in Edinburgh and all strangers required to avoid the town; the copy of which order was sent. This letter (whether it arrived then, or was reserved for that seasonable season) was produced to the committee on Tuesday the 19th of October,

thunder and lightning was made. And some very unwarrant- 1641
able proceedings, by the committee that sat during the recess, or Mr. Pimm who sat in the chair of that committee and issued

which was the day before the re-meeting of the two Houses; and immediately, as if Edinburgh had been London and the two lords the King's children, it was concluded there was some desperate design on foot, and some other practices of the same nature to be executed upon the good patriots of this kingdom; and therefore, without any pause till another despatch might come from Scotland whereby all mysteries might be revealed, the committee issued their warrants to the shrieffs of London and Middlesex, and to the justices of peace, to appoint strong guards in arms to watch about London and Westminster; and, besides their public warrants, by private intimations directed what was necessary to be done, to improve the useful fears of the people: and so that very day, as if all things had been ready for the occasion, a very formal guard of armed men attended at the palace at Westminster where the committee of both Houses sat.

'8. On Wednesday the 20th of October, after a recess of about six weeks, (in which time the foundation was laid for all the mischief of the next year,) the two Houses met again, and found themselves guarded by a great body of soldiers in arms, (the whole train-band of Westminster officiously giving their attendance that day,) whilst Mr. Pimm reported to them the dangers they were in, and, though upon the reading the letters no great matter appeared, gave them cause to believe they should know more shortly than they expected: and thereupon the earl of Essex (who, as was said before, was general of that side Trent) was solemnly desired to appoint a guard to attend every day the two Houses; who graciously dispensed with so great number as then attended, and directed only one hundred a day to wait, and to be relieved at night by another hundred: and being thus secured, they proceeded in the ordinary vexations of the committee; enjoining all such persons to attend who had refused obedience to their orders of reformation in the church or of recommendation of lecturers, but not yet trusting the House enough to bring any one person in judgment before them for his contumacy to those injunctions. Though the kindness and protection of both Houses towards marquis Hambleton had been very visible from the beginning of the Parliament, that in all their inquisition for reformation they had never suffered him to be so much as named, who was before the most odious to Court and country, yet their acknowledging him for a patriot, and so vital a part of the kingdom that a combination against him was no less than treason, was not discovered till this husbanding of the Scotch fears to the terror of the two Houses. And it is not to be believed how those men who in their hearts were as great enemies to his person and as well acquainted with his nature seemed concerned in the danger that was threatened to his greatness; insomuch as the next day after the receipt of the letters the earls of Essex and Holland sadly told me, that I might clearly discern the indirect way of the Court and how odious all honest men grew to them.']

1641 out those orders concerning the Church, gave so much offence and scandal that the members were like to meet together with more courage and less inclination to novelties than they had parted with. But there were several accidents fell out, some from very little, and some from very great, causes, which [1] had that influence upon the nature and spirits of men, and upon the actions of that time, that, for the better understanding some particular passages which will appear pertinent, it will be even necessary briefly, and it shall be but very briefly, to mention some of those particulars [2].

16. When the King went into Scotland [3], for the better preserving the correspondence between the two kingdoms, as was pretended, and to see all things performed which were to be done in the Parliament of Scotland by the Act of Pacification, a small committee was appointed by the two Houses, consisting of one lord and two commoners, to attend (as the phrase was) upon his majesty, but in truth to be a spy upon him, and to give the same assistance to the Parliament there upon any emergent occasions as the Scots' commissioners had done here.

17. The person appointed by the Lords was the lord Howard of Escrigg, a younger son of the house of Suffolk [4], who in the time of the duke of Buckingham married a niece of his [5], and, having his whole dependence upon him and being absolutely
1628 governed by him, was made by him a baron: but that depend-
Apr. 12. ence being at an end, his wife dead, and he without any virtue to promote himself, he withdrew himself from following the Court, and shortly after from wishing it well, and had now delivered himself up body and soul to be disposed of by that party which appeared most averse and obnoxious to the Court and the government; and only in that confidence was designed

[1] ['though they may not seem precisely pertinent to this present discourse:' marked in the MS. for omission, as relating only to Clarendon's own *Life*, but inserted by mistake in former editions.]

[2] ['how foreign soever:' marked in the MS. for omission.]

[3] ['the Parliament:' inserted by mistake in the MS.]

[4] [Edward Howard, seventh son of Thomas, first earl of Suffolk.]

[5] [Mary, fifth daughter of John, lord Boteler, or Butler, of Bramfield, Herts., by Elizabeth, half-sister of the duke of Buckingham.]

to that employment, and to be entirely disposed and governed 1641
by the two members who were joined with him by the House of Commons, and they were sir Philip Stapleton and Mr. Hambden.

18. The latter hath been mentioned before, as a man of great parts of understanding, and of great dexterity in nature and manners; and he must upon all occasions still be mentioned as a person of great ability, and equal to any employment or trust, good or bad, which he was inclined to undertake.

19. The other, sir Philip Stapleton, was a proper man, of a fair extraction; but, being a branch of a younger family, inherited but a moderate estate, about five hundred pounds the year, in Yorkshire, and, according to the education of that country, spent his time in those delights which horses and dogs administer. Being returned to serve in Parliament he concurred with his neighbours, Hotham and Cholmely, being much younger than they and governed by them in the prosecution of the earl of Strafford; and so was easily received into the company and familiarity of that whole party which took that work to heart, and in a short time appeared a man of vigour in body and mind, and to be rather without good breeding than not capable of it; and so he quickly outgrew his friends and countrymen in the confidence of those who governed, and they looked upon him as worth the getting entirely to them and not averse from being gotten, and so joined him with Mr. Hambden in this their first employment (and the first that ever a parliament had of that kind) to be initiated under so great a master; whose instruction he was very capable of.

20. There had been even from the time the Scotch army entered into England many factions and jealousies amongst the principal persons of that nation, but none so much taken notice of as that between the two earls of Mountrose and Arguyle. The former took himself to have deserved as much as any man, in contributing more, and appearing sooner, in their first approach towards rebellion; as indeed he was a man of the best quality who did so soon discover himself, and, it may be, he

1641 did it the sooner in opposition to Arguyle, who being then of the King's Council, he doubted not, would be of his party. The people looked upon them both as young men of unlimited ambition, and used to say that 'they were like Cæsar and Pompey, the one would endure no superior, and the other would have no equal.' True it is that from the time that Arguyle declared himself against the King (which was immediately after the first pacification) Mountrose appeared with less vigour for the Covenant, and had by underhand and secret insinuations made proffer of his service to the King. But now, after his majesty's arrival in Scotland, by the introduction of Mr. William Murr[a]y of the bedchamber, he came privately to the King, and informed him of many particulars from the beginning of the rebellion, and that the marquis of Hambleton was no less faulty and false towards his majesty than Arguyle, and offered to make proof of all in the Parliament; but rather desired to kill them both, which he frankly undertook to do; but the King, abhorring that expedient for his own security, advised that the proofs might be prepared for the Parliament.

Oct. 12 Tuesday. When suddenly on a Sunday morning the city of Edinburgh was in arms, and Hambleton and Arguyle both gone out of the town to their own houses, where they stood upon their guard, declaring publicly that they had withdrawn themselves because they knew that there was a design to assassinate them, and chose rather to absent themselves than by standing upon their defence in Edinburgh, which they could well have done, to hazard the public peace and security of the Parliament; which thundered on their behalf.

21. The committee at Edinburgh despatched away an express to London with a dark and perplexed account in the morning

Oct. 14. that the two lords had left the city[1], with many doubtful expressions what the end of it would be; not without some dark

[1] [The letter is printed from the original preserved in the House of Lords in the Appendix to the *Fourth Report of the Commission on Hist. MSS.*, 1874, p. 102. It was written, not on the Tuesday 'morning that the two lords left the city,' but two days afterwards. Various depositions taken at Edinburgh are printed for the first time, *ibid.* pp. 163-170.]

insinuations as if the design might look farther than Scotland. 1641
And these letters were brought to London the day before the Oct. 19.
Houses were to come together after the recess, all that party taking pains to persuade others that it could not but be a design to assassinate more men than those lords at Edinburgh.

22. And the morning the Houses were to meet Mr. Hyde Oct. 20.
being walking in Westminster-hall with the earl of Holland and the earl of Essex, both the earls seemed wonderfully concerned in it, and to believe that other men were in danger of the like assaults: the other, not thinking the apprehension worthy of them, told them merrily that he knew well what opinions they both had of those two lords a year or two before, and he wondered how they became so altered: to which they answered, smiling, that 'the times and the Court was much altered since.' And the Houses were no sooner sat, but, the report being made in the House of Commons and the committee's letter from Scotland being read, a motion was made to send to the House of Peers, that the earl of Essex, (who was left by the King general on this side Trent,) might be desired to appoint such a guard as he thought competent for the security of the Parliament, constantly to attend while the Houses sat; which was done accordingly, and continued till they thought fit to have other guards. All which was done to amuse the people, as if the Parliament was in danger: when in Scotland all things 1643
were quickly pacified, and ended in creating the marquis Ham- April 12.
bleton a duke and Arguyle a marquis. 1641
Nov. 15.

23. There was another accident happened a little before, of which the indisposition in Scotland was the effect; the death of the earl of Rothesse, a man mentioned before, of the highest authority in the contriving and carrying on the rebellion in Scotland, and now the principal commissioner in England, and exceedingly courted by all the party which governed. Whether he found that he had raised a spirit that would not be so easily conjured down again, and yet would not be as entirely governed by him as it had been, or whether he desired from the beginning only to mend his own fortune, or was converted in his judgment that the action he was engaged in was not warrant-

1641 able, certain it is that he had not been long in England before he liked both the kingdom and the Court so well that he was not willing to part with either. He was of a pleasant and jovial humour, without any of those constraints which the formality of that time made that party subject themselves to; and he played his game so dexterously that he was well assured upon a fair composition that the Scots' army should return home well paid, and that they should be contented with the mischief they had already done, without farther fomenting the distempers in England. He was to marry a noble lady of a great and ample fortune and wealth, and should likewise be made a gentleman of the King's bedchamber, and a Privy Councillor; and upon those advantages made his condition in this kingdom as pleasant as he could, and in order thereunto he resolved to preserve the King's power as high as he could in all his dominions. When any extraordinary accidents attend those private contracts, men naturally are very free in their censures; and so his sudden falling into a sickness, and from a great vigour of body, in the flower of his age, (for he was little more than thirty[1],) into a weakness which was not usual, nor could the physicians discover the ground of it, administered much occasion of discourse, and that his countrymen too soon discovered his conversion. He was not able to attend upon his majesty to Scotland, where he was to have acted a great part, but hoped to have been able to have followed him thither. His weakness increased so fast that by the time the King was entered that kingdom the earl died at Richmond, whither he retired for the benefit of the air; and his death put an end to all hopes of good quarter with that nation, and made him submit to all the uneasy and intolerable conditions there they could impose upon him. Yet he returned from thence with some confidence that he should receive no more trouble from thence, the principal persons there having made him great acknowledgment and greater professions; (for which he had given them all they could desire, and indeed all and more than he had to give:) and Lashly the general, whom he made earl of

1641 Oct. 11.

[1] [over forty, having been born in 1600. Cf. book iii. § 251.]

Leven with precedence of all earls for his life, had told him voluntarily, and with an oath, that he would not only never serve against him, but would do him any service he should command, right or wrong. 1641

24. There was a worse accident than all these which fell out in the time of the King's stay in Scotland, and about the time of the two Houses re-convening, which made a wonderful impression upon the minds of men, and proved of infinite disadvantage to the King's affairs which were then recovering new life; and that was the rebellion in Ireland, which brake out about the middle of October in all parts of the kingdom. Oct. 23. Their design upon Dublin was miraculously discovered the night before it was to be executed, and so the surprisal of that castle prevented, and the principal conspirators who had the charge of it apprehended. In the other parts of the kingdom they observed the time appointed, not hearing of the misfortunes of their friends at Dublin. A general insurrection of the Irish spread itself over the whole country, in such an inhuman and barbarous manner that there were forty or fifty thousand of the English Protestants murdered before they suspected themselves to be in any danger, or could provide for their defence by drawing together into towns or strong houses.

A gross exaggeration really about 5000 murdered

25. From Dublin the Lords Justices and Council despatched their letters by an express (the same man who had made the discovery, one O'Conelly, who had formerly been a servant to sir John Clotworthy) to London, to the earl of Leicester, the Lord Lieutenant of Ireland. From the parts of the north and Ulster an express was sent to the King himself at Edinburgh; and the King's letters from thence to the two Houses arrived within less than two days after the messenger from Dublin.

26. It was upon a Sunday night that the letters from Dublin Oct. 31. came to the earl of Leicester, who immediately caused the Council to be summoned, and as soon as it was met informed them of the condition of Ireland, that is, so much as those letters contained, which were written when little more was known than the discovery at Dublin, and what the conspirators had confessed upon their examinations. The House of Peers

1641 had then adjourned itself to the Wednesday following, but the House of Commons were to meet on the next day, Monday morning; and the Council resolved that they would in a body go to the House of Commons as soon as it sat, and inform them of it; which they did, notice being first given to the House that the lords of the Council had some matters of importance to impart to them, and were above in the Painted Chamber ready to come to them: whereupon chairs were set in the House for them to repose themselves, and the sergeant sent to conduct them. As soon as they entered the House the Speaker desired them to sit down; and then, being covered, Littleton, Lord Keeper, told the Speaker that 'the Lord Lieutenant of Ireland having received letters from the Lords Justices and Council there, had communicated them to the Council, and, since the House of Peers was not then sitting, they had thought fit, for the importance of the letters, to impart them to that House;' and so referred the business to the Lord Lieutenant, who, without any enlargement, only read the letters he had received, and so the lords departed from the House.

27. There was a deep silence in the House, and a kind of consternation, most men's heads having been intoxicated, from their first meeting in Parliament, with imaginations of plots and treasonable designs through the three kingdoms. The affair itself seemed to be out of their conusance; and the communication of it only served to prepare their thoughts what to do when more should be known, and when they should hear what the King thought fit to be done. And when the King's letters arrived, they were glad the news had come to him when he had so good council about him to advise him what to do.

28. The King was not then informed of what had been discovered at Dublin, but the letters out of Ulster (which
Oct. 28. he sent to the Parliament) gave him notice of the general insurrection in the north, and of the inhuman murders committed there upon a multitude of the Protestants, and that sir Phelim O'Neale appeared as the general and commander in chief.

29. Upon which his majesty writ to the two Houses[1] that he was satisfied that it was no rash insurrection but a formed rebellion, which must be prosecuted with a sharp war; the conducting and prosecuting whereof he wholly committed to their care and wisdom, and depended upon them for the carrying it on; and that for the present he had caused a strong regiment of fifteen hundred foot, under good officers, to be transported out of Scotland into Ulster, for the relief of those parts; which were upon the matter wholly inhabited by Scots and Irish, there being fewer English than in any part of Ireland. 1641 Oct. 30.

30. This fell out to their wish; and thereupon they made a committee of both Houses for the consideration of the affairs of Ireland, and providing for the supply of men, arms, and money, for the suppressing that rebellion, the Lord Lieutenant of Ireland being one of the committee, which sat every morning in the Painted Chamber. And the Lord Lieutenant first communicated all the letters he received to them, to be consulted upon, and to be thence reported to the two Houses, which were hereby possessed of a huge power and dependence, all men applying themselves to them, that is, to the chief leaders, for their preferments in that war: the mischief whereof, though in the beginning little taken notice of, was afterwards felt by the King very sensibly.

31. These concurrent circumstances much altered and suppressed that good humour and spirit the Houses were well disposed to meet with, and the angry men, who were disappointed of the preferments they expected and had promised themselves, took all occasions by their emissaries to insinuate into the minds of the people that this rebellion in Ireland was contrived or fomented by the King, or at least by the Queen, for the advancement of Popery, and that the rebels published and declared that they had the King's authority for all they did; which calumny, though without the least shadow or colour of truth, made more impression upon the minds of sober and

[1] [An abstract of his letter, of Oct. 30, is in the Appendix to the *Fourth Report of the Commission on Hist. MSS.*, 1874, p. 104. The Secretary had written to the Lord Keeper the earlier letter of Oct. 28.]

1641 moderate men (and who till then had much more disliked the passionate proceedings of the Parliament) than could be then imagined or can yet be believed, so great a prejudice, or want of reverence, was universally contracted against the Court, especially toward the Queen, whose power and activity was thought too great.

1640 Nov. 10. 32. Shortly after the beginning of the Parliament there had been a committee appointed to prepare and draw up a general Remonstrance of the state of the kingdom, and the particular grievances it had sustained; but it scarce ever met or was ever after mentioned. But now the Houses no sooner met after their 1641 Oct. 28. recess than Mr. Strowde (one of the fiercest men of the party, and of the party only for his fierceness) moved 'that that committee might be revived and ordered to meet;' for which of course a time and place was appointed: by which men easily discerned that nothing of their fury was abated, and the less, [in] that they found their credit every day lessened in the House, by the opposition and contradiction they sustained [1]. And men being thus disquieted, and knowing little and so doubting much, every day produced a discovery of some new treason and plot against the kingdom. One day, a letter from beyond seas of great forces prepared to invade England; then, some attempt Oct. 25. upon the life of Mr. Pimm; and no occasion omitted to speak of the evil council about the King, when scarce a Councillor durst come near him or be suspected to hear from him; then Oct. 30. an order must be framed to the marquis of Hartford, governor to the Prince, to require him to take all care of his highness' Nov. 9. person, and a motion that the King might be desired to make no Privy Councillor but such as the two Houses might approve of; and many other such extravagancies, which, though they seemed then but the murmurings of inconsiderable persons, were artificially vented to try the pulse of the House, and whether they were sufficiently inflamed with the new discoveries.

Oct. 21. 33. After some days [2], a new bill was presented to the

[1] [From here to § 49 from the *Hist.* pp. 82–89.]

[2] [on the second day of meeting. The bill was read twice and committed on the same day.]

House of Commons for the taking away the bishops' votes in Parliament, and for disabling them to exercise any temporal office in the kingdom. Against which was objected that it was contrary to the course and order of Parliament that any bill that had been rejected should be again preferred the same session, and therefore that it ought not to be so much as read: to which nothing was replied but noise, and that this bill varied in some clauses from the former, and that the good of the kingdom absolutely depended upon it: and so by majority of voices it was ordered to be read, and afterwards, without any equal opposition, passed the House, and was transmitted to the Lords: the greatest argument being, that their intermeddling with temporal affairs was inconsistent with, and destructive to, the exercise of their spiritual function; whilst their reformation, both in Scotland and this kingdom, was driven on by no men so much as those of the clergy who were their instruments; as, without doubt, the archbishop of Canterbury had never so great an influence upon the counsels at Court as Dr. Burgess and Mr. Marshall had then upon the Houses; neither did all the bishops of Scotland together so much meddle in temporal affairs as Mr. Henderson had done. 1641 Oct. 23.

34. There being at this time the bishoprics of Worcester, Lincoln, Exciter, Chichester, and Bristol, void by death or translation, the King during the time of his being in Scotland [1] collated to those sees, Dr. Prideaux, the regius professor of divinity at Oxford [2], Dr. Winniffe, dean of St. Paul's [3], Dr. Brownerigge, master of Katherine Hall in Cambridge [4], Dr. Henry King, dean of Litchfield [5], and Dr. Wastfeild, of Great St. Bartholomew's, London [6]; all of great eminency in the

[1] [The first appointment was the only one made while the King was in Scotland.]

[2] [Elected Nov. 22, consec. Dec. 19, 1641.]

[3] [Elected Jan. 5, consec. Feb. 6, 1642.]

[4] [Elected March 31, consec. May 15, 1642.] [5] [Consec. Feb. 6, 1642.]

[6] [In the place of Westfield, Nalson (p. 499) gives Dr. (Rich.) Holdsworth (master of Eman. Coll. Cambr.) as the fifth one for whom the *congé d' élire* was issued. Holdsworth, however, never became a bishop; and probably Westfield, who was not consecrated (according to Hardy's edition of Le Neve) until June 26, 1642, was substituted for him at a later date.]

1641 Church, frequent preachers, and not a man to whom the faults of the then governing clergy were imputed, or against whom the least objection could be made.

35. As soon as the House of Commons heard of this designation of his majesty's (having then newly the second time sent up to the House of Peers their bill to remove bishops from thence,) they were much troubled that at a time when they resolved to take away the old the King should presume to make new bishops, and create so many voices to oppose the other; and therefore they moved very earnestly, 'that the Lords might be moved to join with them in sending to the King to make no new bishops till the controversy should be ended about the government of the Church;' which appeared so unreasonable that the wisest of them who wished it apprehended no possibility that the Lords would join with them, or, if they did, that the King would be prevailed with. However, being glad to
Oct. 29. find their companions had so much mettle, after a long debate the major part[1] carried it that a committee should be appointed to draw up reasons to give the Lords, to concur with them in that desire to the King: but, after that, moved that stone no further.

36. In all debates of this nature, where the law, reason, and common sense, were in diameter opposite to what they proposed, they suffered those who differed from them in opinion and purposes to say what they thought fit in opposition, and then, without vouchsafing to endeavour their satisfaction, called importunately for the question; well knowing that they had a plurality of voices to concur with them in whatsoever they desired. I remember in this last business when it was voted that a committee should be named to draw up reasons, the committee being to be named, many of those who had during the debate positively argued against the thing were called upon to be of that committee, and amongst these, the lord Falkland and Mr. Hyde, who stood up and desired to be 'excused in that

[1] [Yeas 71, noes 53. According to Nalson (p. 499) the debate was commenced on Oct. 26, on a motion of Strode's, but the *Journals* only record the decision on Oct. 29.]

service, where they could be of no use, having given so many 1641
reasons against it that they could not apprehend any could be given for it; therefore they thought the work would be better done if those who had satisfied themselves with the reasonableness of what they wished would undertake the converting and disposing of other men.' There was a gentleman who sat by, (Mr. Bond of Dorchester, very severe and resolved against the Church and the Court,) [who,] with much passion and trouble of mind, said to them, 'For God's sake be of the committee; you know none of our side can give reasons;' which made those that overheard him smile, though he spake it suddenly, and upon observation that their leaders were not then in the House. Otherwise it cannot be denied those who conducted them and were the contrivers of the mischief were men of great parts and unspeakable industry; and their silence in some debates proceeded partly from pride, that it might appear their reputation and interest had an influence upon the sense of the House against any rhetoric or logic, but principally from the policy they were obliged to use; for, though they could have given a pregnant reason for the most extravagant overture they ever made, and evinced it that it was the proper way to their end, it[1] being not yet time to discover their purposes, (how apparent soever they were to discerning men,) they were necessarily to give no reasons at all, or such as were not in truth the true ones.

37. This stratagem failing, of stopping the creation of the new bishops, they endeavour by all means to hasten the House of Peers to despatch the work before them before they should be qualified (their elections, confirmations, and consecrations, and other ceremonies, spending much time) to increase the number of the opposers; and, for the better doing thereof, with great Oct. 27.
confidence they demand of the Lords 'that no recusant lord, or bishop, might have a vote in the passing that Act, the last being parties, and the other not supposed competent judges on the behalf of the kingdom.' But when they found that logic could not prevail, (the demand being indeed so scandalous that

[1] ['but it,' MS.]

1641 the House of Peers if they had not been fatally sotted must have resented it, as a high presumption and insolent breach of
Oct. 27. privilege,) with more formality and colour, though as unreasonably, they pressed, 'that those thirteen bishops whom they had before impeached for making the late Canons, and upon whom their lordships themselves had passed notable votes,' (such in truth as were fitter for accusers than judges, unparliamentary and unprecedented,) 'might be sequestered from the House till they should be brought to judgment.' And for this, without any shame, they found lawyers in their House, who, prostituting the dignity and learning of their profession, to the cheap and vile affectation of popular applause, were not ashamed to aver custom and law for their senseless proposition. But the House of Peers was not yet deluded enough or terrified (though too many amongst them paid an implicit devotion to the House of Commons,) to comply in this unreasonable demand.

38. And here I cannot but with grief and wonder remember the virulency and animosity expressed upon all occasions from many of good knowledge in the excellent and wise profession of the Common Law towards the Church and churchmen, taking all opportunities, uncharitably, to improve mistakes into crimes, and, unreasonably, to transfer and impute the follies and faults of particular men (swollen with ambition or corrupted with avarice) to the malignity of their order and function; and so whet and sharpen the edge of the Law to wound the Church in its jurisdiction, and at last to cut it up by the roots, and demolish its foundation. It cannot be denied that the peevish and petulant spirits of some clergymen have taken great pains to irreconcile that profession to them; and others as unskilfully (finding that in former times, when the religion of the State was a vital part of its policy, many churchmen were employed eminently in the civil government of the kingdom) imputed their wanting those ornaments their predecessors wore to the power and prevalency of the lawyers, some principal men whereof, in all times, they could not but remember as avowed enemies of the Church, and so believed the straitening and confining their profession must naturally extend and en-

large their own jurisdictions. Thence proceeded their bold 1641
and unwarrantable opposing and protesting against prohibitions and other proceedings at law, on the behalf of ecclesiastical courts, and [the] procuring some orders and privileges from the King on the behalf of that faculty, even with an exclusion of the other: as the archbishop of Canterbury prevailed with the King to direct that half the Masters of the Chancery should be always civil lawyers, and to declare that no others, of what condition soever, should serve him as Master of Requests. Which was a great mistake: for, besides the stopping prohibitions was an envious breach upon the justice of the kingdom, which at some time or other will still be too hard for the strongest opposers and oppressors of it, I could never yet know why the doctors of the civil laws were more of kin to the bishops or the Church than the common lawyers were. To say that their places were in their disposal, as chancellors, commissaries, and the like, and, therefore that their persons were more like to be at their disposal too, at least to pay them greater reverence, concludes nothing: for they had all opportunity enough, and I think equal, to oblige and create a dependence from the other profession; and I am persuaded the stewardships to bishops, and of the lands of the Church, which were to be managed by the rules of the Common Law, were not much inferior in profit to all the chancellorships in England. And for their affection and respect to their patrons, I believe experience hath now manifested that, though many of the common lawyers have much indiscretion, injustice, and malice to repent of towards the Church, the professors of the Civil Law have not been less active, to their skill and power, in the unnatural destruction of their mother. And then, where the policy may consist with justice, it will be no ill measure, in making friendship, to look into the power of doing hurt and doing good, as well as into the faculty of judging; and it was apparent that the Civil Law in this kingdom could neither help or hurt the Church in any exigent, it being neither of reputation enough to advance it or power to oppress it; whereas the professors of the other had always by their interests,

1641 experience, abilities, and reputation, so great an influence upon the civil State, upon Court and country, that they were notable friends or enemies; and then the dependence of the Church was entirely upon that law, all their inheritance and estates (except their minute tithes) being only determinable by those rules, and by which they have seldom received eminent injustice. And, truly, I have never yet spoken with one clergyman who hath had the experience of both litigations that hath not ingenuously confessed he had rather, in the respect of the trouble, charge, and satisfaction to his understanding, have three suits depending in Westminster Hall than one in the Arches or any ecclesiastical court.

39. The particulars above mentioned were, I confess, to vulgar minds great provocations and temptations to revenge; and therefore I do not at all wonder that, in the great herd of the common lawyers, many pragmatical spirits, whose thoughts and observations have been contracted to the narrow limits of the few books of that profession, or within the narrower circle of the bar-oratory, should side [with] the others in the womanish art of inveighing against persons, when they should be reforming things: and that some, by degrees, having found the benefit of being of that opinion, (for we all remember when Papist and Puritan lawyers got more money than their neighbours, for the opinions they had, not which they delivered,) grew, at last, to have fits of conscience in earnest, and to believe that a parity in the Church was necessary to religion, and not like to produce a parity in the State; the suspicion of which would have quickly wrought upon their divinity.

40. But that learned and unbiassed (I mean unprovoked) men in that science, who knew the frame and constitution of the kingdom, and that the bishops were no less the representative body of the clergy than the House of Commons was of the people, and, consequently, that the depriving them of voice in Parliament was a violence, and removing landmarks, and not a shaking (which might settle again) but dissolving foundations, which must leave the building unsafe for habitation; who knew the ecclesiastical and civil state was so wrought and

interwoven together, and, in truth, so incorporated in each other, that, like Hippocrates' twins, they cannot but laugh and cry together, and that the professors of the Law were never at so great a height as even in this time that they so unjustly envied the greatness of the Church; and, lastly, who might well know, that the great and unwieldy body of the clergy, consisting of such different tempers, humours, inclinations, and abilities, and which inevitably will have so strong an influence upon the natures and affections of the people, could never be regulated and governed by any magistrates but of themselves, nor by any rules but such of power which the bishops exercised, whom (besides all arguments of piety and submission to antiquity) experience of that blessed time since the Reformation, (not to be paralleled in any nation under heaven,) declared to be the most happy managers of that power, what rankness and excrescence soever had proceeded from some branches;—I say, that these knowing and discerning men (for such I must confess there have been) should believe it possible for them to flourish, and that the Law itself would have the same respect and veneration from the people, when the well disposed fabric of the Church should be rent asunder, which without their activity and skill in confusion could never have been compassed, hath been to me an instance of the Divine anger against the pride of both, in suffering them to be the fatal engines to break one another, which could very hardly have been oppressed by any other strength or power than their own. 1641

41. And I cannot but say to the professors of that great and admirable mystery, the Law, (upon which no man looks with more affection, reverence, and submission,) who seem now, by the fury and iniquity of the time, to stand upon the ground they have won and to be masters of the field, and, it may be, wear some of the trophies and spoils they have ravished from the oppressed; that they have yet but sharpened weapons for others to wound themselves, and that their own eloquence shall be applied to their own destruction. And therefore, if they have either piety to repent and redeem the ill that they have wrought or policy to preserve their own condition from contempt, and

1641 themselves from being slaves to the most abject of the people, they will wind up the Church and the Law into one bottom, and, by a firm combination and steady pursuit, endeavour to fix both to[1] the pinnacle from whence they have been so violently ravished[2].

[1] ['to' substituted for 'upon.']

[2] [The MS. proceeds (at pp. 85–88) with the following passages, which are, however, marked for omission:—

'1. On Monday, the first day of November, (the King being still in Scotland,) the House of Commons was informed that the body of the lords of the Council desired to impart somewhat to them of great consequence and concernment to the kingdom; whereupon (after a short debate for the manner of their reception, there having never been the like occasion) chairs were placed in the middle of the House, and they sent for in. The Lord Keeper informed the House that the Lord Lieutenant of Ireland (who was present) had acquainted their lordships of the Council with some letters he had received from the Lords Justices and Council of Ireland, of a dangerous commotion and rebellion in that kingdom; and that the House of Peers being adjourned till the next day, (for it was All Saints' day, which the Lords yet kept holy, though the Commons had reformed it,) they knew no other way to communicate it but this: and thereupon the earl of Leicester, Lord Lieutenant of Ireland, read the letters he had that morning received, by which it appeared that, on [*blank*] the [*blank*] day of October, there had been a great design and conspiracy by some Catholics to seize upon the castle of Dublin, where the arms and magazine for that kingdom were principally kept; and that the discovery was fortunately made by one Owen O'Conelly, (who was sent over with the letters,) not many hours before it should have been put in execution: and so the principal conspirators, the lord Maguyre, one Mackmahon, and some others, were apprehended, who, upon their examinations, had confessed their intentions of seizing the castle, and imprisoning at least the Justices and Council; for their doing whereof many hundreds of Irish were by appointment at that time in the town and suburbs: that though by this happy discovery the mischieve was for the present prevented in that city, yet that the rebellion was broken out in many places of the kingdom, especially in Ulster, where sir Philome O'Neale had gathered together a great body, and had seized upon many houses and places of strength, his men exercising great barbarities and inhuman cruelties upon the English Protestants; and that the whole kingdom was in that terror and apprehension that they knew not whom to trust, every hour discovering the defection of some person or place which they before suspected not; and therefore they desired, with all possible expedition, a supply of men and money, and some materials for war. Within two or three days at most, arrived letters from his majesty in Scotland, containing the same intelligence, and an information of some levies of men prepared by the advice of the Parliament of that kingdom for their speedy relief; and a recommendation, and in truth a full submission, of the whole business and carrying on that war to the wisdom and conduct of his Parliament here; his majesty too soon con-

42. By this time the King was as weary of Scotland as he had been impatient to go thither; finding all things proposed 1641 Cf. IV 23

sidering it only as matter of trouble and charge, and not that the devotion of that people, and all that were to be engaged for them, would naturally incline to those from whom they were to expect support, which could not (as it hath since done) but beget him some trouble. The opinions and minds of men upon this great accident were very different and various. Some, who remembered well enough the blood and treasure less commotions in Ireland than this seemed to be had cost this kingdom, and in a time that was better prepared to spare both, were yet less affected with the mischieve and danger; because they thought (too reasonably) that the storm in that kingdom would make fair weather in this, and that all ill humours and indispositions would be allayed and united towards the suppression of that rebellion, there being like to be business enough for the most active, and reward enough for the most covetous, and honour for the ambitious. Others, who observed with what smooth brows the great champions for reformations received this alarum, otherwise than was natural to their courage, and that by the advice of the Parliament of Scotland the King had on the sudden committed the ordering as well as the maintaining the war to them, believed they had fomented and contrived this rebellion to keep themselves in action, reputation, and dominion; for here was now a new argument for the continuance of the Parliament, superior to the first ground of the Act: and this opinion was seriously improved when it was observed how warily they entered upon the war, and moved as though they feared it would be too soon ended, some of them not sticking to say that nothing was so necessary to the well settling and advancing that kingdom as this present rebellion; of which we shall have occasion to say more hereafter. These men again whispered, and by degrees shortly after spake aloud, that that commotion was licensed by the King, with a purpose to perplex this kingdom, and to form an army of Papists that should be at his devotion to invade this kingdom and oppress the Parliament; which most odious and scandalous imputation, how senseless and groundless soever, found by the wicked arts of these men so much credit with the people that we shall have often occasion hereafter to mention sundry inconveniences and mischieves the King sustained thereby. But as I very well know that barbarous rebellion to have ever been most perfectly odious to the King, so I am confident the Parliament (nor any of those that then swayed there) never originally and intentionally contributed thereunto; though it is as true that by their rage and fury they fomented and inflamed it after it was begun, being willing to increase the number of the guilty, and, truly I am persuaded, collaterally advanced the first inclinations to rebel: for it is very probable that the seeds were sown, and the design framed, at least polished, during the time that the committee stayed here which came hither from the Parliament of Ireland the spring before; of which, upon this occasion, I shall speak a word.

'2. The committee (consisting most of Papists, and who have been since the most active in the rebellion) being sent from the Parliament of that kingdom, amongst other things, to assist any complaint that should be

1641 to him as to a vanquished person, without consideration of his honour or interest, and having not one counsellor about him

preferred against the earl of Strafford, who, well knowing the nature of that nation, had been very watchful over them, were as soon as they came to London affectionately treated by those who were engaged to ruin that great man, admitted to their counsels, and, for the assistance they gave to that important work, were hearkened to in whatsoever they informed or
1640 proposed for that kingdom. Thus, upon the death of sir Rowland[1] Wans-
Dec. 31. ford, (their Deputy,) they procured the King to be moved by some powerful persons that he would take their advice in the placing a new governor, as best knowing the state and affection of that kingdom, at least that he would receive exceptions from them against some persons whom they knew to be very unfit for that charge; and this was, with great respect and subtlety, advised his majesty, to prevent the intermeddling of the House of Commons, who might be too apt to offer their advice and opinion in that matter. Having gotten thus much ground, (towards which they used the Puritans about the King and the priests about the Queen, which were like to engender an excellent resolution,) they excepted against three persons, who, they said, in that conjuncture of time could not be useful to his majesty in the government of that kingdom; which were, the lord of Ormonde, the lord of Roscommon, and sir Will. St. Leger, lord president of Munster; which three had been recommended by the earl of Strafford to the King to make his choice of: and, without question, if either the first or the last, and, it may be, the other, had been then made choice of, the peace and quiet of that kingdom had been preserved. By this means sir Will. Parsons and sir Jo. Borlase were made Lords Justices[2]; one of which had never been a man, and was now a child again; and the other, though a person of great experience and subtlety, so obnoxious that, in so inquisitive a time, he durst not exercise the necessary acts of sovereignty, but from his first entrance upon the command suffered any invasion to be made on the rights of the Crown and the dignity of his office.

'3. In this time they observed the proceedings of the Parliament here, and the grounds upon which they built their greatness, and transmitted the precedent to the two Houses there, where were as many Papists as Puritans here, who, according to the patterns, built upon the same foundations. Then they discovered by sundry acts they did themselves and countenanced in others that they had an implacable rancour to the Catholics of this kingdom; and when they heard it declared at the trial of the earl of Strafford that the kingdom of Ireland and the Parliament thereof was subject to this Parliament, and that an Act made here would bind that kingdom if it were named in the Act, they apprehended themselves and their religion to be in much danger, and so considered amongst themselves how to make use of the troubles they saw like to befall this kingdom to their own advantage.

[1] [A mistake for *Christopher*. Sir Rowland Wandesford was attorney of the Court of Wards in England.]

[2] [Robert, Lord Dillon, and Sir Will. Parsons were first appointed by letters patent of Dec. 30, 1640, and Sir John Borlase was substituted for Dillon, Feb. 9, 1641.]

but the duke of Lenox, (who from the beginning carried him- 1641
self by the most exact rules of honour, gratitude, and fidelity

'4. Upon the death of the earl of Strafford, the King constituted the earl 1641
of Leicester Lieutenant of Ireland, who being then extraordinary ambas- June 14.
sador in France was necessarily to return into that kingdom, (from which he was come hither, by leave from the King, for few days,) to finish that negociation, before he could go to receive the sword in Ireland, which in that article wanted a vigilant and active commander.

'5. It is true that the Parliament was nothing satisfied with the King's election, the earl of Leicester being known to few of them, and without cause suspected for some correspondence he was thought to have with the earl of Strafford, besides that they had a mind to have that kingdom in the custody of a confident of their own; and either marquis Hambleton himself, or some friends for him, had a thought of it. On the other hand, the committee was more displeased, for they hoped so wisely to have managed their negative voice of excepting to persons, that at last it should be committed to some person at least well inclined to them; and the earl of Leicester, however his late grace at Court had sullied him at home, was generally understood to be a Puritan abroad, at least they knew him more than ordinarily averse to their religion, so that they had little hope of more than the advantages they could make in the time he was necessarily to be absent from them. Therefore, having done all for which they came, (except in this point of the chief governor,) and having, by their interest with the enemies of the earl of Strafford, here prevailed against the sending away and transporting the soldiers of the new army in Ireland, and in the Parliament in Ireland against their disbanding for a good time after the King's command to that purpose, they departed to their own country; where they found great licences used in resisting the government, taking possessions by force, and other acts of disorder, which were every day exercised by the remissness of the Lords Justices, together with the discountenance which had been here put upon the extraordinary but necessary proceedings which upon reason of State had been always used by the supreme governors there: and, without doubt, the scheme was then laid for the general insurrection over the kingdom which brake out in October following, though I believe it was prosecuted with more barbarous and inhuman circumstances by the base people than was intended, and though many more of quality joined afterwards with the rebels, by the indirect carriage of the Lords Justices and by the violence of the Parliament of England, than in the beginning were privy, or consenting in their hearts, to it: of which more hereafter.

'6. The earl of Strafford, by his experience of the temper of that people, foresaw a storm would arise thence to the King, as had done to himself, and gave his majesty warning of it, and afterwards advised him to send the lord Cottington thither his Lieutenant; but the winds here were too high, and too much against him then, to venture thither, which was like to be no easy or pleasant station though no rebellion had happened. It was strange that upon the first opening of this the King was not persuaded

1641 to him,) and very few followers who had either affection to his person or respect of his honour.

Aug. 26 43. That which should have been an Act of Oblivion was made a defence and justification of whatsoever they had done: their first tumults, and erecting their tables in opposition, and

(which I have not heard he was) to dissolve that Parliament, which in probability could be no further applied to his service, and visibly might do him great hurt, as it after did; but the Court believed that the only danger being from the Puritans of this kingdom, it could not be improved by the Papists of that, whose ambition and interest found a line of communication in spite of their religion. If that Parliament had been dissolved when this was summoned, (after, it could not reasonably be,) it being discernible of what spirit it would be; or if the earl of Ormonde, or the president of Munster, had been made Deputy upon the death of Wansford, and the Lieutenant absolutely laid down his interest, which he did not till his death, so that the nation was without a subordinate dependance upon any man who might lessen their fears and improve their hopes; or if the soldiers of that army had been suffered to be transported when the King gave his licence and warrant to that purpose; I am verily persuaded that fire would never have been kindled, or as soon extinguished. And 'tis as probable, that if that kingdom had contained itself within their old limits of obedience and loyalty, I should never have had leisure or occasion to have complained of the breaches or violation of this. How one, which should have prevented, did contribute to the other, must be too often remembered and mentioned in this ensuing discourse.

'7. As soon as the condition of Ireland was understood, order was given for the speedy raising of five thousand foot and one thousand horse, under such officers as the House should approve of, a list of which was to be preferred to them by the Lord Lieutenant, his lordship having, with their approbation, sent a commission of lieutenant-general to the earl of Ormonde, by the desire and recommendation of the Lords Justices and Council there. A committee of both Houses was appointed to intend the business and affairs of that kingdom, and special direction given that no officer of the late northern army who was suspected to have any hand in their plot against the Parliament should be entertained in that service. New jealousy and sharpness was expressed against the Papists, as if they were privy to the insurrection in Ireland, and to perform the same exploit in this kingdom. Hereupon the guards were doubled, and several houses searched for arms and ammunition; letters were framed, and directed to some obscure Papists, and then found in the street, and brought to the House, and there
June 8[1]. opened and read, in which there are dark discourses of plots and disappointments, but that all will be speedily repaired by the diligence and power of their friends; and such absurd, gross follies as even the discoverers blushed at. Yet this is made matter of serious concernment, and thereupon lists of all Papists of quality in the several counties of England are presented, and the House of Peers moved that their persons may be secured.

[1] [See Verney's *Notes of the Long Parl.* 1845, pp. 88-9.]

at last suppressing both courts of justice and session, and the acts and orders of those tables, declared to be the effects of their duty to his majesty, and according to the law of the land; and so all those who, according to their allegiance, had opposed and resisted them on the behalf of his majesty, and qualified by his majesty's commissions, adjudged criminal, and the only persons excepted from pardon and exempted from the benefit of that oblivion[1]. 1641

The houses of ambassadors were searched for priests[1], and such insolencies offered to their persons as exposed the honour of the King and kingdom to the wonder and censure of Christendom. The barbarous curiosity was revived of opening letters, (which they had practised upon discovery of their first plot, and upon the flight of Mr. Percy and Mr. Jermin,) especially to and from France, in which they often met with expressions of censure, scorn, and reproach upon their own proceedings, which were straight interpreted as so many conspiracies against the Parliament. Once they found a letter of intelligence to Mr. Mountague, in France, which they discovered, by some that knew the hand, to be written by Phillipps, the Queen's confessor. Though there was nothing in it of public relation, they would needs have him examined upon some expressions in it, and so he was sent for to the Lords' House. When the oath was administering to him, he absurdly pulled away his hand from the book, and said it was no true Bible; for which he was deservedly committed. As soon as it was known to the House of Commons, (and it was immediately communicated at a conference by the Lords as a notable testimony of their zeal,) it was looked upon as a reproach to our religion upon design, and of that nature that no priest would presume in the face of a Parliament but by extraordinary countenance and instigation: and from thence great liberty was taken to inveigh against the religion of the Court, with bold and apparent glances at the person of the Queen. By these high and fierce proceedings the Catholic lords were so appalled, that they not only withdrew themselves from the House of Peers, (which was the drift of the powerful party,) but, out of tameness of spirit and dejection of mind, deposited their proxies with those lords who were the principal contrivers and cherishers of the violence that was against them: and yet it is true that the earl of Essex, who was trusted with the earl of St. Albans' proxy, would very frequently in the agitation of business give his own vote one way and his proxy the other way, saying he knew it was the mind of him who trusted him; which was, no doubt, the rule he was to govern himself by: but there was no other example of that justice.'] Nov. 1 and 9. Nov. 9[2]. June 24. Nov. 2.

[1] [The persons specifically excepted were all 'the Scottishe prelatis, John,

[1] [The Florentine resident complained on Nov. 2, 1641 of the breaking open of his doors and arrest of a kinsman and servants. By an order of the previous day it had been resolved to desire all ambassadors to deliver up such priests of the King's subjects as were in their houses.]

[2] [The Venetian ambassador complained on Nov. 12 of the opening of his letters, and satisfaction was ordered.]

1641 44. The seditious acts of the Assembly, which had expelled all bishops and the canonical clergy from being members of that Assembly, and declared themselves to have a power to inflict the censures of the Church upon his majesty himself,
Aug. 31 were declared to be lawful, and according to the constitution of the kingdom; and the government of the Church by archbishops and bishops declared to be against the word of God, and an enemy to the propagation of the true reformed Protestant religion, and therefore to be utterly abolished, and their lands given to the King, his heirs, and successors.

45. In consideration of the King's necessary absence from that his native kingdom, it was thought fit that the full and
Nov. 16. absolute government thereof should be committed to the lords of the Secret Council, who were likewise made conservators of the peace of the two kingdoms during the intervals of parlia-
Sept. 16 ments; and those lords and conservators were then, and still, to be named by Parliament, which was once in three years to assemble upon a day certain, without any summons from the King, if he neglected to publish such summons[1]; and upon the same reason all great officers, as Chancellor, Treasurer, Secretary, and the rest, nominated by Parliament, and in the interval by the lords of the Secret Council, without so much as being concerned in his majesty's approbation[2].

46. All which Acts, and whatsoever else they were pleased to present to him, concerning Church or State, the King confirmed; and thereby made the lord Lowdon, who had been the
Sept. 30. principal manager of the rebellion, Chancellor of Scotland, and created him likewise an earl, and conferred the other great

Erle of Traquair, Sir Robert Spotswood, Sir John Hay, and Maister Walter Ballcanquell, cited and persued as incendiaries . . . and for brybrie, corruptione, and many other grosse crimes.' *Acts of Parl. of Scotland*, vol. v. 1870, p. 342. But an Act of grace on their behalf was passed Nov. 16. *Ibid.* p. 409.]

[1] [By the Act of June 6, 1640, confirmed by the King, Aug. 31, 1641, the day for the next meeting of Parliament was to be fixed at the close of each session. *Acts*, ut supra, p. 268.]

[2] [By the Act passed Aug. 26 the names of persons recommended by Parliament or Council were to be submitted to the King. *Acts*, ut supra, p. 340.]

offices as he was directed. Then he made the earl of Argyle (for he was still trusted with conferring of honours) marquis, their great general, Lashly, earl of Leven, and their lieutenant-general, earl of Calander; and conferred other honours according to the capacity and ability they had had in doing him mischief: and, lastly, (leaving all his own party to live, for he had procured a pardon for them from the Parliament, upon condition they came not near the King's presence, or received any benefit from him without their approbation,) he gave all the lands of the Church, which had been devolved to him by their ruin, and whatsoever he had else to give in that kingdom, to those who had discovered it not to be in good hands before: so that he seemed to have made that progress into Scotland only that he might make a perfect deed of gift of that kingdom, which he could never have done so absolutely without going thither. And so, having nothing more to do there, he began his journey towards England about the middle of November. 1641 Nov. 15. Oct. 11. Oct. 6. Nov. 16. Nov. 11.

47. It is not to be doubted, in consideration of those extravagant concessions, they made as extravagant promises to the King, that, by their loyal and dutiful comportment, his majesty should find no diminution of his power; that he should have the entire obedience of that nation, to preserve his full rights and regalities in England, and to reduce Ireland: the earl of Leven telling him, (as marquis Hambleton assured me, in his hearing,) 'that he would not only never more serve against him, but that whenever his majesty would require his service he should have it, without ever asking what the cause was:' and many of them whispering in his ear and assuring him that, 'as soon as the troubles of the late storm could be perfectly calmed, they would reverse and repeal whatsoever was now unreasonably extorted from him.' And his majesty having never received any profit from Scotland, or other benefit than the reputation of a kingdom in his title, cared the less for what he parted with there: and, it may be, being resolved that they should be no more charge to him in his Court, (for sure he was then perfectly irreconciled to the whole nation,) he believed he should save more in this kingdom than he had given in that;

1641 and he made no scruple but that they were so full fed now that they would not stir from home again till the temper and affection of his people here should be better disposed for their reception.

48. But his majesty never considered, or not soon enough, that they could not reasonably hope to keep what they had so ill got but by the same arts by which they were such gainers; and there cannot be a surer evidence of the continuance of an enemy as the having received injuries from him of a nature that do not use to be forgiven. Neither did he sufficiently weigh the unspeakable encouragement, and, in some particulars, the reasonable pretence, the factious party here would have from the prosperous wickedness of those there. And it is certain their number from thence increased wonderfully; the enemies of the Church presuming their work was more than half done when the King himself had declared, (for his consent to that Act they would easily make appear to be such,) 'that the government by archbishops and bishops was against the word of God and the propagation of religion.' Many, concluding the King would at last yield to any thing, put themselves in company of the boldest and most positive askers; and some who in their hearts abhorred what the Scots had done, yet disdaining to be overwitted by them, and that they should get more for themselves and receive a greater argument of the King's trust than we of this nation, out of pure malice to them resolved to do the same things with them, and so joined and concurred in any exorbitances. All which the King too late discovered, by the entertainment he received upon his return [1].

[1] [The text from here to § 59 is taken from the *Life*, pp. 127–129. The account in the *History* (which is struck out) is briefer, and proceeds as follows:—

'1. At the beginning of the Parliament, or shortly after, when all men were inflamed with the pressures and illegalities which had been exercised upon them, a committee was appointed to prepare a Remonstrance of the state of the kingdom, to be presented to his majesty, in which the several grievances might be recited; which committee had never brought any report to the House, most men conceiving, (and very reasonably,) that the quick and effectual progress his majesty made for the reparation of those grievances, and prevention of the like for the future, had rendered that work needless.

49. About the time the news came of the King's being to begin his journey from Scotland upon a day appointed, and that he had settled all things in that kingdom to the general satisfaction, the committee for preparing the Remonstrance offered their report to the House, which caused the draught they offered to be read. It contained a very bitter representation of all the illegal things which had been done from the first hour of the King's coming to the crown to that minute, with all those sharp reflections which could be made upon the King himself, the Queen, and Council; and published all the unreasonable jealousies of the present government, of the introducing Popery, and all other particulars which might disturb the minds of the people, which were enough discomposed. 1641 Nov. 15.

50. The House seemed generally to dislike it; many saying, 'that it was very unnecessary and unseasonable: unnecessary, all those grievances being already fully redressed, and the liberty and property of the subject being as well secured for the future as can possibly be done: and then, that it was very

But as soon as the intelligence came of his majesty's being on his way from Scotland towards London, that committee was with great earnestness and importunity called upon to bring in the draught of such a Remonstrance, upon pretence that great endeavour had been used (and then the new examinations, procured by the earl of Holland's information, upon the old business of the army were produced, or rather reported) to pervert the affections of the people from the Parliament by magnifying the great grace and bounty of the King, in the many acts passed by him since the beginning of the Parliament; and by undervaluing whatsoever had been done in retribution by them to the King, which was said to be nothing: and therefore that it was necessary, for their acquittal, that they should let the kingdom know in what state and condition they found it at their first convention, and the fruit and benefit they had received by their counsels, wherein their securities were not yet sufficiently provided for, and what they intended to do further for them both in Church and State: and they said, though the prime evil counsellors were removed, there were others growing up in their places like to do as much mischieve. And so the committee was directed to prepare and bring in the Remonstrance.

'2. On Monday, the 22nd of November, (the King being within two miles of London,) Mr. Pimm brought in the Remonstrance, which was read, having no direction to the King or mention of the House of Peers, but being a plain declaration from the House of Commons to the people, and entitled, *A Remonstrance of the State of the Kingdom.* That Remonstrance, after many causes,' &c., *as in* § 59.]

1641 unseasonable, after the King had gratified them with granting every thing which they had desired of him, and after so long absence in the settling the disorders in another kingdom, which he had happily composed, to be now welcomed home with such a volume of reproaches for what others had done amiss and which he himself had reformed.' Notwithstanding all which, all the other party appeared passionately concerned that it might not be rejected, and enlarged themselves with as high expressions against the government as at first; with many insinuations 'that we were in danger of being deprived of all the good Acts which we had gained if great care and vigilance was not used to disappoint some counsels which were still entertained;' making doubtful glances and reflections upon the rebellion in Ireland, (with which they perceived many good men were easily amused,) and in the end prevailed 'that a day should be appointed when the House should be resolved into a grand committee, and the Remonstrance to be then retaken into consideration:' and in the mean time they employed all their credit and interest with particular men, to persuade them that the passing that Remonstrance was most necessary for the preservation and maintenance of all those good laws which they had already made; giving several reasons to several persons, according to their natures and inclinations; assuring many that they intended it only for the mortification of the Court, and manifestation that that malignant party which appeared to be growing up in the House could not prevail, and then, that it should remain still in the clerk's hands and never be published.

51. And by these and the like arts they promised themselves
Nov. 20. that they should easily carry it: so that the day it was to be resumed, they entertained the House all the morning with other debates, and towards noon called for the Remonstrance; and it being urged by some that it was too late to enter upon it, with much difficulty they consented that it should be entered upon the next morning at nine of the clock[1], and every clause should be debated, the Speaker in the chair; for they would

[1] ['Resolved that this House do take into debate the Declaration now read on Monday next, at twelve of the clock.' *Commons' Journals*, II. 321.]

not have the House resolved into a committee, which they believed would spend too much time. Oliver Cromwell (who at that time was little taken notice of) asked the lord Falkland, 'Why he would have it put off, for that day would quickly have determined it?' He answered, 'There would not have been time enough, for sure it would take some debate.' The other replied, 'A very sorry one:' they supposing, by the computation they had made, that very few would oppose it. 1641

52. But he quickly found he was mistaken: for, the next morning, the debate being entered upon about nine of the clock in the morning, it continued all that day; and candles being called for when it grew dark, (neither side being very desirous to adjourn it till the next day; though it was evident very many withdrew themselves out of pure faintness, and disability to attend the conclusion,) the debate continued till after it was twelve of the clock, with much passion; and the House being then divided upon the passing or not passing it, it was carried for the affirmative by [nine, eleven] voices and no more: and as soon as it was declared[1], Mr. Hambden moved 'that there might be an order entered for the present printing it;' which produced a sharper debate than the former. It appeared then, that they did not intend to send it up to the House of Peers for their concurrence, but that it was upon the matter an appeal to the people, and to infuse jealousies into their minds. It had never been the custom to publish any debates or determinations of the House which [were][2] not regularly first transmitted to the House of Peers, nor was it thought, in truth, that the House had authority to give warrant for the printing of any thing; all which was offered by Mr. Hyde with some warmth, as soon as the motion was made for the printing Nov. 22.

[1] [The MS. is somewhat uncertain in this place from erasure and alteration, and the notice of the hour, 'about two o'clock in the morning,' which occurs later on, is here inserted as an interlineation, and apparently correctly; for in the account given from the *Hist.* in the notes to §§ 73, 77, *infra*, the division is said to have taken place *after* two in the morning, and the adjournment about three; and this is confirmed by other narratives. The majority was not nine but eleven; see p. 429.]

[2] ['was,' MS.]

1641 it; and he said 'he did believe the printing it in that manner was not lawful, and he feared it would produce mischievous effects; and therefore desired the leave of the House that, if the question should be put and carried in the affirmative, he[1] might have liberty to enter his protestation.' Which he no sooner said than Geffry Palmer (a man of great reputation, and much esteemed in the House) stood up and made the same motion for himself, that he might likewise protest, when immediately together many afterwards, without distinction and in some disorder, cried out, 'They did protest:' so that there was after scarce any quiet and regular debate. But the House by degrees being quieted, they all consented, about two of the clock in the morning[2], to adjourn till two of the clock the next afternoon. And as they went out of the House the lord Falkland asked Oliver Cromwell, 'Whether there had been a debate?' to which he answered, 'that he would take his word another time,' and whispered him in the ear, with some asseveration, 'that if the Remonstrance had been rejected he would have sold all he had the next morning, and never have seen England more; and he knew there were many other honest men of the same resolution.' So near was the poor kingdom at that time to its deliverance!

53. And, however they got this victory, they did not in a long time recover the spirits they lost, and the agony they had sustained, whilst it was in suspense; and they discerned well enough that the House had not at that time half its members, though they had provided that not a man of their party was absent, and that they had even then carried it by the hour of the night, which drove away a greater number of old and infirm opposers than would have made those of the negative superior in number: so that they had little hope in a fuller House to prevail in any of their unjust designs, except they found some other expedient, by hopes or fears, to work upon the affections of the several members.

54. In order to which, they spent most part of the next day in their private consultations how to chastise some of those

[1] ['that he,' MS.]

[2] [See the preceding note.]

who had most offended them the day before, and resolved, in 1641
the first place, not to suffer that precedent to be introduced into the House, 'that men should protest against the sense of the House:' which it is true had not been used in the House of Commons. And this subject was the more grateful to them because they should hereby take revenge upon Mr. Hyde, whom they perfectly hated above any man, and to whose activity they imputed the trouble they had sustained the day before; and he was the first who made the protestation, that is, asked leave to do it, which produced the other subsequent clamour, that was indeed in some disorder. But here they differed amongst themselves; all the leading violent men, who bore the greatest sway, were most glad of the occasion, as it gave them opportunity to be rid of Mr. Hyde, which they passionately desired: but sir John Hotham, Cholmely, and Stapleton, who never severed, and had a numerous train which attended their motions, remembered the service Mr. Hyde had done against the court of York, (the overthrowing whereof was their peculiar glory,) and would not consent that they should question him, but were ready to concur with them in the prosecution of any other of the protesters, whereof there was number enough. This made so great difference amongst them that for the present they agreed no further than that they would that afternoon only provide that the next morning they would fall upon the matter; and so they might consult together at night what person they would sacrifice.

55. And so, about three of the clock, when the House met, Nov. 23.
Mr. Pimm lamented the disorder of the night before, which, he said, might probably have engaged the House in blood, and proceeded principally by the offering a protestation, which had been never before offered in that House, and was a transgression that ought to be severely examined, that mischief hereafter might not result from that precedent: and therefore proposed that the House would the next morning enter upon that examination, and in the meantime men might recollect themselves, and they who used to take notes might peruse their memorials, that the persons who were the chief causers of the

1641 disorder might be named, and defend themselves as best they could. And with this resolution the House rose; the vexation of the night before being very visible in the looks and countenance of many. And that night's deliberation, nor all the artifice or importunity that could be used, could not remove the obstinate Northern men from their resolution: and they declared positively that if they prosecuted Mr. Hyde, they and all their friends would engage in his defence: but the others would not incur the danger or inconvenience of such a schism; and so they unanimously agreed upon a third person whom they would accuse.

Nov. 24. 56. The next morning they first enlarged upon the offence itself; of 'the mischief it had liked to have produced, and of the mischief it would unavoidably produce if the custom or liberty of it was ever introduced; that it was the first time it had ever been offered in that House; and that care ought to be taken that it should be the last, by the severe judgment of the House upon those persons who had begun the presumption.'

57. Mr. Hyde, who had then known nothing of the private consultation, and had many reasons to believe himself to be designed, stood up (notwithstanding some signs made to him at a distance by his Northern friends, which he understood not) and said 'it concerned him to justify what he had done, being the first man who mentioned the protestation:' upon which there was a general noise and clamour 'to withdraw,' and as great 'to speak:' upon which he proceeded, and said 'he was not old enough to know the ancient customs of that House; but that he well knew it was a very ancient custom in the House of Peers, and leave was never denied to any man who asked that he might protest, and enter his dissent, against any judgment of the House to which he would not be understood to have given his consent: that he did not understand any reason why a commoner should not have the same liberty, if he desired not to be involved in any vote which he thought might possibly be inconvenient to him. That he had not offered his protestation against the Remonstrance, though he had opposed [it] all he

could, because it remained still within those walls; that he had 1641
only desired leave to protest against the printing it, which he thought was not in many respects lawful for them to do, and might prove very pernicious to the public peace.'

58. They were very much offended with all he said and his confidence in speaking; and Mr. Strowde could not contain himself from saying, 'that that gentleman had confessed that he had first proposed the protestation,' and therefore desired he might withdraw, which many others likewise called for: till sir John Hotham appeared with some warmth against it; and young Hotham, his son, accused Geffry Palmer of giving the cause of disorder, by saying '*I do protest*,' without asking the leave of the House, and encouraging men to cry out every man, '*I do protest*,' whereupon they all fell into that noise and confusion; and so, without much more discourse, Mr. Palmer was called upon 'to explain.' Which as he was about to do, Mr. Hyde (who loved him much, and had rather have suffered himself than that he should) spake to the orders of the House, and said that 'it was against the orders and practice of the House that any man should be called upon to explain for any thing he said in the House two days before, when it could not be presumed that his own memory could recollect all the words he had used, or that any body else could charge him with them;' and appealed to the House whether there was any precedent of the like. And there is no doubt there never had been; and it was very irregular. But they were too positively resolved not to be diverted; and, after two hours' debate, Mr. Palmer himself desiring that, to save the House further trouble, he might answer, and withdraw, which he did, and when it drew towards night, after many hours' debate it was ordered that he should be com- Nov. 25.
mitted to the Tower; the angry men pressing with all their power that he might be expelled the House, having borne him a long grudge for the civility he shewed in the prosecution of the earl of Strafford, that is, that he had not used the same reproachful language which the others had done: but they were at last glad to compound for his bare commitment to the Tower, from whence he was within few days enlarged, and returned

1641 Dec. 15. again to the House. And in the close of that day and the rising of the House, without much opposition, they obtained an order for the printing their Remonstrance[1].

59[2]. That Remonstrance, after many clauses and unbecoming expressions were cast out, contained—

'That there had been, from the beginning of his majesty's reign, a malignant and pernicious design of subverting the fundamental laws and principles of government, upon which the religion and justice of the kingdom was established: that the actors and promoters thereof were the jesuited Papists, the bishops and corrupt part of the clergy, and such counsellors and courtiers as had engaged themselves to further the interests of some foreign princes or states, to the prejudice of the King and State at home; all which had endeavoured to raise differences and discontents betwixt the King and his people, upon questions of prerogative and liberty; to suppress the purity of religion, and such men as were best affected to it, as the greatest impediment to that change which they thought to introduce; to cherish and maintain those opinions in religion which brought ours nearest and most agreeable to the Papists'; and to contrive[3], multiply, and enlarge the differences between the Protestants themselves, distinguishing between Protestants and Puritans, by introducing and countenancing such opinions and ceremonies as were fittest for accommodation with Popery, that so, of Papists, Arminians, and libertines, they might compose a body fit to act such counsels and resolutions as were most conducible to their own ends; and, lastly, to disaffect the King to parliaments by slanders and false imputations, and so putting him upon other ways of supply as of more advantage than the ordinary course of subsidies, which brought infinite loss to King and people, and caused the distractions which ensued.'

60. They remembered 'the breach of the Parliament at Oxford, in the first year of his majesty's reign; and reproached his majesty with the fruitless voyage to Calize, at his first coming to the crown; the loss of Rochelle, by first suppressing their fleet with his own royal ships, by which the Protestant religion in France infinitely suffered; the making a war with France precipitately, and a peace with Spain without their consent, and so deserting the cause of the Palatinate; and with a design to bring in German horse, to force the kingdom, by rigour, to submit to such arbitrary contributions as should be required of them.'

61. They remembered him 'of charging the kingdom by billeting of soldiers, and by raising coat and conduct money for those soldiers, in the second and third years of his reign; of his dissolving the Parliament in his second year, after their declaration of an intent to grant five subsidies, and the exacting those five subsidies afterwards by a commission of loan, upon the refusal whereof divers gentlemen and others were imprisoned, whereof some died by the diseases they contracted in that imprisonment; of great sums raised by privy-seals; and of an attempt to set the excise on foot.'

[1] [Not on the same day, but on Dec. 15, five days before the King sent his reply.]

[2] [§§ 59–93 from the *Hist.*, pp. 90–6.]

[3] [Misread as 'continue,' in former editions.]

62. They remembered 'the dissolution of the Parliament in the fourth 1641
year of his reign, and the untrue and scandalous declarations thereupon; the imprisoning divers members of that Parliament after the dissolution, and detaining them close prisoners for words spoken in Parliament, sentencing and fining them for those words; one of which[1] died in prison, for want of ordinary refreshment, whose blood,' they said, 'still cried for vengeance.'

63. They reproached his majesty 'with injustice, oppression, and violence, which, after the breach of that Parliament, broke in upon them without any restraint or moderation; with the great sums of money he had exacted throughout the kingdom for default of knighthood, in the fourth year of his reign; with the receiving tonnage and poundage from the death of King James, and raising the book of rates, and laying new impositions upon trade; with the enlargements of forests, and compositions thereupon; the engrossing gunpowder, and suffering none to buy it without license; with all the most odious monopolies of soap, wine, salt, leather, sea-coal, and the rest which had been granted from his majesty's first coming to the crown, and some of them before; with the new tax of ship-money, and the ill-guarding the seas, and leaving the merchant naked to the violence of the Turkish pirates, notwithstanding that extraordinary and extravagant supply; with the vexations upon pretence of nuisances in building, and thereupon raising great sums of money for licenses to build, and of depopulation, that men might pay fines to continue the same misdemeanour; with the seizing the merchants' money in the Mint; and an abominable project of making brass money.'

64. They repeated 'the extravagant censures of the Star-Chamber, whereby the subject had been oppressed by fines, imprisonments, stigmatizings, mutilations, whippings, pillories, gags, confinements, banishments; the severe and illegal proceedings of the Council-table, and other new-erected judicatories; and the suspensions, excommunications, and deprivations of learned and pious ministers, by the High Commission court, which grew to that excess of sharpness and severity that,' they said, 'it was not much less than the Romish Inquisition.'

65. They reproached the King 'with the Liturgy and Canons sent into Scotland, as an attempt upon the Protestant religion; with the forcing that nation to raise an army in their own defence, and raising an army against them; with the Pacification, and breach of that Pacification; that he called a Parliament after, in hope to corrupt it and make it countenance the war with Scotland; which when he found it would not do, he dissolved it, and then committed members to prison, and compelled men to lend money against their wills, and imprisoned such as refused.'

66. They mentioned 'the synod held by the bishops after the end of the Parliament, and the Canons and oath made by them; the raising the armies, here and in Ireland, against the Scots, and the liberal collection and contribution from the clergy and the Catholics towards that war; all the favours that had been done to the Papists; the reception and entertainment of signior Con and the comte Rozetti by the Queen, from Rome; and some ministers sent by her majesty thither.'

[1] [Sir John Eliot, Nov. 27, 1632.]

1641 67. In a word, they left not any error or misfortune in government, or any passionate exercise of power, unmentioned and unpressed; with the sharpest and most pathetical expressions to affect the people, that the general observation of the wisest, or the particular animosity of the most disobliged or ill-affected, person could suggest, to the disadvantage of the King, from the death of his father to the unhappy beginning of the present Parliament.

68. Then they magnified their own services: 'that having found the kingdom groaning under these difficulties, which seemed to be insuperable, they had, by the Divine Providence, overcome them all; that they abolished ship-money and all monopolies, and (which was the root of all those evils) had taken away that arbitrary power of taxing the subject which was pretended to be in the King: that the living grievances, the evil counsellors, were so quelled, by the justice done upon the earl of Strafford, the flight of the lord Finch and secretary Winnibank, the accusation and imprisonment of the archbishop of Canterbury and other delinquents, that it was not like to be only an ease to the present times but a preservation to the future.'

69. [They] reckoned all the good laws, and the benefit the people received by those laws; spake of many good designs they had for the good of the kingdom: but then complained 'of oppositions and obstructions and difficulties with which they were encountered, and which still lay in their way with some strength and much obstinacy: that there was a malignant party took heart again, that preferred some of their own agents and factors to degrees of honour and to places of trust and employment; that they had endeavoured to work in his majesty ill impressions and opinions of their proceedings, as if they had done altogether their own work and not his, and had obtained many things from him prejudicial to the Crown in respect of prerogative and profit.' To wipe out which slander, they said 'all they had done was for his majesty, his greatness, honour, and support: that when they gave five and twenty thousand pounds a month, for the relief of the northern counties, in the support of the Scotch army, it was given to the King, for that he was bound to protect his subjects; and that when they undertook the charge of the army, which cost about fifty thousand pounds the month, it was given to the King, for that it was his majesty's army, and the commanders and soldiers under contract with him; and that when they undertook to pay their Brethren of Scotland three hundred thousand pounds, it was to repair the damages and losses they had sustained by his majesty and his ministers; and that these particulars amounted to above eleven hundred thousand pounds.'

70. Then they negligently and perfunctorily passed over his majesty's graces and favours, as being little more than in justice he was obliged to grant, and of inconsiderable loss and damage to himself; and promised the good people shortly ease in the matter of protections, by which the debts from parliament-men, and their followers and dependents, were not recoverable, and speedily to pass a bill to that purpose.

71. Then they inveighed against the malignant party, 'that had sought to cause jealousies between them and their Brethren of Scotland, and that had such a party of bishops and popish lords in the House of Peers as hindered the proceedings of divers good bills passed in the Commons'

House, concerning sundry great abuses and corruptions both in Church and State,' (when, at that time, the House of Peers had only refused to concur with them in two bills, that of the Protestation, and the taking away the votes of bishops out of the House of Peers), 'that had attempted to disaffect and discontent his majesty's late army, and to bring it up against the Parliament and city of London; that had raised the rebellion in Ireland, and, if not by their wisdom prevented, had brought the like misery and confusion in this kingdom.' 1641

72. Then they declared, 'that they meant to have a general synod of the most grave, pious, learned, and judicious divines,' (when at that time there was not one orthodox divine of England in reputation with them,) 'of this island, assisted with some from foreign parts professing the same religion, who should consider of all things necessary for the peace and good government of the Church, and present the result of their consultations to the Parliament, to be there allowed and confirmed: that they would provide a competent maintenance for conscionable and preaching ministers throughout the kingdom: that they intended to reform and purge the fountains of learning, the two Universities, that the streams flowing from thence might be clear and pure, and an honour and comfort to the whole land: that his majesty should be petitioned by both Houses to employ such counsellors, ambassadors, and other ministers, in managing his business at home and abroad, as the Parliament might have cause to confide in; without which they could not give his majesty such supplies for his own support, or such assistance for the Protestant party beyond the seas, as was desired.'

73. Withal they declared, 'that the Commons might have cause often justly to take exceptions at some men for being counsellors, and yet not charge those men with crimes; for that there are grounds of diffidence which lie not in proof, and others which, though they may be proved, yet are not legally criminal; as, to be a known favourer of Papists, or to have been very forward in defending or countenancing some great offenders questioned in Parliament, or to speak contemptuously of either House of Parliament or parliamentary proceedings, or such as are suspected to get counsellors' places, or any other of trust concerning public employment, for money: that all good courses may be taken to unite the two kingdoms of England and Scotland to be mutually aiding and assisting one another, for the common good of the island and the honour of both:' with some other particulars of this nature[1].

74. I know not how those men have already answered it to their own consciences, or how they will answer it to Him who

[1] [The following passage is here struck out in the MS., p. 92:—

'1. This Remonstrance being read about ten of the clock in the morning, it was demanded whether it should be sent to the Lords and pass that House; for that, though it seemed to be intended only for an act of the Commons, yet it comprehended some particulars which concerned the Peers in matter of privilege, and might be occasion of difference if their concurrence should not be desired. Though no positive declaration of the sense of the House was made in this point, it being said it might be considered after it

1641 can discern their consciences, who, having assumed their country's trust, and, it may be, with great earnestness laboured

passed the vote, it was apparent they meant not to carry [it] to the Lords and desire their approbation. It was thereupon objected, that such a Remonstrance was unprecedented and never before heard of [in] Parliament, all remonstrances having been heretofore directed to the King by way of petition, or else to the House of Peers when it concerned matter in difference between them: whereas this seemed to be an instrument to the people, in the nature of an appeal to them, which had never been practised, and might prove of very dangerous consequence. That his majesty had reason to expect upon his return from Scotland some demonstration of their affection, in bills and other acts prepared for the settlement of his revenue, in acknowledgment of the many acts of grace and favour passed by him to his people since the beginning of this Parliament, surpassing all that had been ever granted by his progenitors; and that his expectation would be strangely disappointed, to find, after he had passed an oblivion himself of all matters which had relation to the differences between the two kingdoms, (by which, no doubt, many men found themselves much at ease,) all his own mistakes and oversights in those particulars he had abundantly repaired exposed to the public view, not only to sharpen the memory of his subjects to a sense of their former sufferings, but to publish to all Christian princes a view of a disjointed and unsatisfied people, and how far his majesty was from being possessed of their hearts; which might be a means to invite a foreign enemy to invade this kingdom, and to bring all those mischieves upon it they seemed to apprehend. That it would probably infuse into the people a dislike of the settled form of government when they should find many things which were established by law inveighed against as pernicious to the peace of the kingdom; and that it must give the House of Peers a just offence, and consequently beget a misunderstanding between them, when they should see themselves so irregularly presented to the people as the obstructors of the public justice and enemies to a reformation, whereas their concurrence had been more eminent than had been known in any age. That, beside the matter, the dialect and expressions were so unusual, and might be thought to lessen in many particulars the reverence due to his majesty, that it might be a means to alienate his majesty's heart from them, by lessening his confidence in their affection and duty. Lastly, that the publishing thereof was simply unnecessary, and could produce no good effect, the grievances complained of being already redressed, and probably might occasion great inconveniences and distempers; and therefore that in prudence it ought to be laid aside.

'2. The debate held many hours, in which the framers and contrivers of the Declaration said very little, nor answered any reasons that were alleged to the contrary; the only end of passing it, which was to incline the people to sedition, being a reason not to be given; but called still for the question, presuming their number, if not their reason, would serve to carry it: and after two of the clock in the morning, (for so long the debate continued, if that can be called a debate when those only of one opinion argued,) when many were gone home to their lodgings out of pure indisposition of health,

to procure that trust, by their supine laziness, negligence and 1641
absence were the first inlets to these inundations, and so contributed to those licenses which have overwhelmed us. For by this means, a handful of men, much inferior in the beginning in number and interest, came to give laws to the major part; and, to shew that three diligent persons are a greater number in arithmetic, as well as a more significant number in logic, than ten unconcerned, they, by plurality of voices, in the end converted or reduced the whole body to their opinions. It is true, men of activity and faction, in any design, have many advantages that a composed and settled council, though industrious enough, usually have not, and some that gallant men cannot give themselves leave to entertain; for, besides their through considering and forming their counsels before they begin to execute, they contract a habit of ill nature and uningenuity, necessary to their affairs and the temper of those upon whom they are to work, that liberal-minded men would not persuade

having neither eat nor drank all the day, and others had withdrawn themselves, that they might neither consent to it, as being against their reason and conscience, nor disoblige the other party by refusing; it was put to the question, and the House divided, and upon the computation the dissenters found to be the inferior number by eleven voices[1]: and so that absurd, fatal Remonstrance, the first visible ground and foundation of that rage and madness in the people of which they could never since be cured, [was carried]. Yet when this passed, the number in the House exceeded not three hundred, which was not much more than half, the House consisting of above five hundred; and there being not one man absent of known inclinations to the violence which then carried all before it, those of that constitution being never absent in any article of time in which any thing that concerned their aims was handled; when men of moderate and sober purposes contented themselves with wishing well, and disliking what was amiss, presuming that truth would in the end prevail without their troubling themselves, and therefore they either quite left the House, and went into the country to attend their own business, or were content only to sit two or three hours a day, in those hours which former times had made most parliamentary, and then withdrew; the which the active party discerning, usually reserved their greatest designs to be proposed and debated in those seasons either of dinner or the evening when most of different opinions were absent; so that my lord of Falkland was wont to say, that they who hated bishops hated them worse than the Devil, and they who loved them loved them not so well as they did their dinners.']

[1] [Ayes, 159: Noes, 148.]

1641 themselves to entertain, even for the prevention of all the mischief the others intend. And whoever observed the ill arts these men used, to prevail upon the people in general; their absurd, ridiculous lying, to win the affections and corrupt the understandings of the weak, and the bold scandals to confirm the wilful; the boundless promises they presented to the ambitious, and their gross, abject flatteries and applications to the vulgar-spirited; would hardly give himself leave to use those weapons for the preservation of the three kingdoms.

75. The King besides had at that time a greater disadvantage (besides the concurrence of ill and extraordinary accidents) than himself or any of his progenitors had ever had before; having no servant of the House of Commons of interest, ability and reputation, and of faithfulness and affection to his service: sir Thomas Jermin, who was very honest to him and of good abilities, through his indisposition of health and trouble of mind for his son's misfortune, having left the House and the Court, and being retired into the country; and sir Harry Vane (who was the other only Privy-Councillor), having committed those faults to the King he knew could not be forgiven, and those faults to the country could not be forgotten, gave himself entirely to the disposition of his new masters: and Mr. St. John, who at the beginning was made his Solicitor-General, and thereby had obliged himself by a particular oath, 'to defend his majesty's rights, and in no case to be of counsel, or give advice, to the prejudice of the King and the Crown,' was the chief instrument to devise and contrive all the propositions and acts of undutifulness towards him. So that whilst these men and their consorts with the greatest deliberation consulted and disposed themselves to compass confusion, they who, out of the most abstracted sense of loyalty to the King and duty to their country, severed from any relations to the King, or hopes from the Court, preserved their own innocence, and endeavoured to uphold the good old frame of government, received neither countenance or conduct from those who were naturally to have taken care of that province. And sure the raging and fanatic distempers of the House of Commons (to which all other dis-

tempers are to be imputed) must most properly be attributed 1641
to the want of good ministers of the Crown in that assembly, who, being unawed by any guilt of their own, could have watched other men's, and informed, encouraged, and governed those who stood well inclined to the public peace.

76. To which purpose, if that stratagem (though none of the best) of winning men by places had been practised as soon as the resolution was taken at York to call a Parliament, (in which it was apparent dangerous attempts would be made, and that the Court could not be able to resist those attempts,) and if Mr. Pim, Mr. Hambden, and Mr. Hollis, had been then preferred with Mr. St. John, before they were desperately embarked in their desperate designs, and had innocence enough about them to trust the King and be trusted by him, having yet contracted no personal animosities against him, it is very possible that they might either have been made instruments to have done good service, or at least been restrained from endeavouring to subvert the royal building, for supporting whereof they were placed as principal pillars.

77. But the rule the King gave himself, (very reasonable at another time,) that they should first do service and compass this or that thing for him before they should receive favour, was then very unseasonable: since, besides that they could not in truth do him that service without the qualification, it could not be expected they would desert that side by the power of which they were sure to make themselves considerable without an unquestionable mark of interest in the other, by which they were to keep up their power and reputation. And so, whilst the King expected they should manifest their inclinations to his service by their temper and moderation in those proceedings that most offended him, and they endeavoured by doing all the hurt they could to make evident the power they had to do him good, he grew so far disobliged and provoked that he could not in honour gratify them, and they so obnoxious and guilty that they could not think themselves secure in his favour: and thence, according to the policy and method of injustice, combined to oppress that power they had injured, and to raise a

1641 security for themselves by disenabling the King to question their transgressions[1].

78[2]. Notwithstanding all these contrivances to lessen the reputation of the Court, (to which many other particulars contributed, which will be touched anon,) the city of London made great preparations to receive the King. Gurny, the lord mayor, was a man of wisdom and courage, and who expressed great indignation to see the city so corrupted by the ill artifices of factious persons, and therefore attended upon his majesty at his entrance into the city with all the lustre and good countenance

[1] [In the MS. of the *Hist.* the following short account follows (pp. 93–4), but has been crossed out, respecting the dispute in the House of Commons as to the right of protesting; of which a circumstantial statement is given from the MS. of the *Life* in §§ 52–58, *supra*.

'I have been the longer in contemplation of this particular in this place, because from their mastery in that night's debate about the Remonstrance, and the agony they were in during the debate that they might not prevail, they contracted so great a pride and animosity against those that opposed them, and the others grew so cast down and dejected, that ever after they met no equal opposition in the House of Commons: for the same night, after it was voted, upon a motion made for the printing it a new debate arising with more passion than the former, and one member standing up and desiring leave to enter his protestation against it, (which was usual in the House of Peers, and by the same reason might be thought not unlawful there, though it had not been practised in the House of Commons,) all those who had dissented, with much passion and some disorder, desired to enter their protestations likewise; so that the business of printing was for the present laid aside, and the protestation pressed in that manner that the House rose in some confusion about 3[1] of the clock in the morning. Whereupon, two days after, when they had contrived their business, they questioned Mr. Palmer, who was one of those who offered his protestation, upon some expressions in the manner of doing it, which some were prepared to witness against him; and, without suffering it to be debated whether protesting itself were lawful and regular, after a debate of five or six hours, many of the dissenters being won over and others persuaded to be absent, they judged him to be sent to the Tower; being contented to compound for Mr. Palmer, and to waive questioning the gentleman who first began the protestation, (though he was more in their displeasure,) by reason one powerful person amongst them had taken some groundless affection to him, and declared that he would concur with them against Mr. Palmer but would with all his interest oppose them on the behalf of the other. And so, having compassed their main end, from that time they found the sense of that House more at their devotion; as will be observed hereafter.']

[2] [The first two sentences in this section are from the *Life*, p. 129.]

[1] [Altered from '4.']

it could shew, and as great professions of duty as it could make 1641
or the King expect[1]. And on Thursday, the five and twentieth

[1] [The MS. of the *Life* continues thus, (p. 130) in passages crossed out:—
'1. And it was at that time lamented that the King chose rather to pass through the town to Hampton Court, without staying at Whitehall, which many men wished he had done, and which would have kept up the spirits of his friends; and it was visible enough the governing people feared it much, and were dejected with the apprehension, but in few days recovered their courage, and sent their Remonstrance to the King by a committee of their members to Hampton Court, and at the same time sent it carefully over the kingdom in print. And the diligence and dexterity of the lord mayor causing an address to be made to his majesty from the court of aldermen, by the two shrieves and others of that body, with an humble desire that his majesty would reside at Whitehall, (which angered the House of Commons as much as their ceremonious reception had done,) the petition was very graciously received, all the aldermen knighted, and the Court within a day or two removed to Whitehall.
'2. [1] The King at his return found a greater alteration in his family to the worse than he did in the Parliament to the better. Before the disbanding of the armies, when the earl of Northumberland delivered up his commission, it was thought necessary for the prevention of all disorders that another general should be constituted, though he was like to have little else to do than to take care for the orderly disbanding; and most men believed that the earl of Essex, who the King had made Chamberlain of his household and of his Council, should have been designed to that office; which had been very happy. But, howsoever it came about, the unlucky genius of the Court prevailed that the earl of Holland, who wiped out the memory of many great faults with new professions of duty, had that commission; which the other earl looked upon as an injury and indignity to him, and, conferring with Mr. Hyde upon that occasion, he protested that if the King had made him general he would have exacted very punctual proceedings from the Scots, and, if it had been necessary, he would [have] executed martial law in the army, let the Parliament have been as angry as they would, and they had declared as much against martial[2] and made [it] as penal, as any other excess of which they had accused the earl of Strafford. And it was believed by those who knew him very well that it had been at that time very easy to have fixed him to the King's service, whereas from this disobligation he grew much soured to the Court. The earl of Holland, whose nature and fortune disposed him to acquire all he could for the support of his vanity and necessary [*sic*], promised[3] himself more profit than honour from his new office of general: and so, when the King visited the army in his journey to Scotland, when they were upon disbanding, the earl of Holland pressed his majesty with great importunity to bestow upon him the making a baron, which at that time might possibly have yielded him ten thousand pounds, which the King as positively refused to grant, being not only in his judg-

[1] [Compare with this section, book iii. §§ 232–4.]
[2] ['marshall,' MS.]
[3] ['and he promised,' MS.]

1641 of November, the King entered into London, where he was re-
Nov. 25. ceived with the greatest acclamations of joy that had been

ment very averse from making merchandise of those honours, but having no mind to increase at that time the number of the peers: which was prudently resolved. The earl, resenting this refusal, withdrew his zeal for the
Aug. 13. King's service, and writ a letter to the Parliament of his majesty's passing that way, and used such mysterious expressions of some endeavours used to corrupt and pervert the army, that, as it might relate to the former practices in the beginning of the year, upon discovery whereof so many had been committed and others fled the kingdom, so it did as naturally imply some new design of his majesty himself to hinder the disbanding the army, at least till the Scots should be withdrawn and the King in Scotland: notwithstanding all which, the earl said, he had begun the disbanding that day, (the day on which he writ,) and would continue it till all should be done: which letter made impression on many to keep up those jealousies which all good men ought to allay. The earl seemed to many of his friends, whose affections he knew, to be much troubled that his letter was so interpreted, protesting that, as there was no reason to make any such reflection upon any thing the King had said or done, so he intended it only upon a retrospect of the former attempt. However, after that, he wholly estranged himself from the King's service; and after his return out of the north, the King being still in Scotland, it was long before he so much as waited upon the Queen, who resided at Oatlands, and saw her but once, and wholly betook himself to the conversation and friendship of those who directed all their counsels and endeavours to lessen the King's authority and discredit his reputation, and was constantly with them in their private meetings; and whether he seduced or was seduced, the lady Carlisle, with whom he always held a strict friendship, at the same time withdrew herself from her attendance upon the Queen, communicated all she knew, and more, of the natures and dispositions of the King and Queen; and after she had for a short [time] murmured for the death of the earl of Strafford, she renounced all future devotion for those who would, but could not, protect him, and applied herself to and courted all those who murdered him, with all possible condescensions; so that his majesty found at his return from Scotland these two very considerable persons retired from his service into the closest counsels of his enemies, to which they contributed their information.

'3. There was another defection at the same time that gave the King more disturbance than the other. The last obligation he had conferred, and the best he could confer, brought him not that harvest which he expected. The earl of Leicester, after his being declared Lieutenant of Ireland, made a journey into France, to take his leave of that Court upon the expiration of his embassy, and returned from thence whilst his majesty was in Scotland to prepare for his transportation into Ireland. He was a man of a reserved nature, and communicated with very few, so that he gave his enemies no advantage against him; but his wife was my lady Carlisle's own sister, equally active and tempestuous, and drew the principal persons who were most obnoxious to the Court, and to whom the Court was most obnoxious, to a constant conversation at Leicester House, where all freedom of discourse

known upon any occasion; and, after a most magnificent enter- 1641
tainment by sir Richard Gurny, lord mayor, at the Guildhall, where the King, Queen, Prince, and the whole court of lords and ladies were feasted, he was attended by the whole city to Whitehall, where he lodged that night; when the earl of Essex Nov. 26.
resigned his commission of general on this side Trent, which had been granted for the security of the kingdom at his majesty's going into the north.

79. The next day the King went to Hampton Court; and Nov. 26.
as soon as he came thither took away the seals from sir Harry Vane, (having before taken his staff of Treasurer [of the Household] from him, and conferred it upon the lord Savill, in lieu of the Presidentship of the North, which he should have had if both Houses had not declared that commission to be illegal;) then he appointed the guards that were kept at Westminster, for the security of the two Houses ever since the news out of Scotland, to be dismissed, and shortly after published a procla- Dec. 10.
mation for obedience to be given to the laws established for the exercise of religion.

80. These proceedings of his majesty much troubled them; and the entertainment given to him by the city of London, in which their entire confidence was, much dejected them, and made them apprehend their friends there were not so powerful as they expected. However, they seemed to abate nothing of their mettle; and shortly after his return resolved to present

was used of all things and all persons; which was not agreeable to the earl's nature or his prudence. But the rebellion no sooner fell out in Ireland, and the King had committed the managing of that war to the two Houses of Parliament, but the earl likewise disposed himself to more address towards that governing party which he saw was able much to advance or obstruct all his pretences; and as he took care to do nothing which might anger or provoke them, (who were not without some prejudice towards him,) so by degrees he became involved in actions, and in concurrence in vote, with them, much to the displeasure of the King; so that his majesty found likewise upon his return that, very contrary to his expectation, he was disappointed at least of the confidence he promised himself in his service; though some who knew the earl very well did believe that he erred through too much wariness, and too nice a consideration of offending them, and in truth never failed in his fidelity to the King. And in this melancholic state his majesty found his domestic and his public affairs when he returned from Scotland to Hampton Court.']

1641 Dec. 1. their Remonstrance, lately framed, to him, together with a petition in which they complained of 'a malignant party, which prevailed so far as to bring divers of their instruments to be of his Privy Council, and in other employments of trust and nearness about his majesty, the prince, and the rest of his children:' to which malignant party, amongst other wickedness, they imputed the insurrection of the Papists in Ireland; and therefore, for the suppressing that wicked and malignant party, they besought his majesty that he would

'concur with his people in a parliamentary way for the depriving the bishops of their votes in Parliament,' (when at that time the bill to that purpose had not passed the House of Peers,) 'and abridging their immoderate power over the clergy: for the removing unnecessary ceremonies, by which divers weak consciences had been scrupled; that he would remove from his Council such persons as persisted to favour any of those pressures wherewith the people had been grieved, and that he would for the future employ such persons in the public affairs, and take such to be near him in places of trust, as his Parliament might have cause to confide in, and that he would reject and refuse all mediation and solicitation to the contrary, how powerful and near soever; that he would forbear to alienate any of the forfeited and escheated lands in Ireland, which should accrue to the Crown by reason of this rebellion. Which desires of theirs being graciously fulfilled by his majesty,' they said 'they would apply themselves to such courses and counsels as should support his royal estate with honour and plenty at home, with power and reputation abroad, and by their loyal affection and service lay a sure and lasting foundation of the greatness and prosperity of his majesty and his royal posterity in future times.'

81. This Petition, together with the Remonstrance, was presented at Hampton Court, on the first day of December. And
Dec. 15. within few days after both the Petition and Remonstrance were by order printed, and with great industry published throughout the kingdom, albeit the King at the receipt thereof desired and forbade them to publish either till he should send his
Dec. 20. answer: which he did shortly after, expressing how sensible he was of that disrespect: reprehending them for the unparliamentariness of their Remonstrance, in point whereof, he said he would reserve himself to take such course as he should think fit in prudence and honour.

82. But to their Petition, he told them, that,

'if they would make that wicked and malignant party whereof they

complained known to his majesty, he would be as ready to suppress and punish it as they could be to complain; that by those councillors whom he had exposed to trial he had given sufficient testimony that there was no man so near unto him, in place or affection, whom he would not leave to the justice of the law if they should bring sufficient proofs and a particular charge against him: in the mean time, he wished them to forbear such general aspersions as, since they named none in particular, might reflect upon all his Council; that, for the choice of his councillors and ministers of state, it was the natural liberty all freemen have, and the undoubted right of the Crown to call such to his secret council and public employment as he should think fit; yet he would be careful to make election of such as should have given good testimonies of their abilities and integrity, and against whom there can be no just cause of exception; that for the depriving the bishops of their votes in Parliament, they should consider that their right was grounded upon the fundamental law of the kingdom and constitution of Parliament. 1641

83. 'For what concerned religion, Church government, and the removing unnecessary ceremonies, if the Parliament should advise him to call a national synod he should consider of it, and give them due satisfaction therein; declaring his resolution to maintain the doctrine and discipline established by law, as well against all invasions of Popery as from the irreverence of schismatics and separatists, wherewith of late this kingdom and this city abounds, to the great dishonour and hazard both of Church and State; for the suppression of whom his majesty required their timely and active assistance.'

84. To their desire concerning Ireland, he told them,

'he much doubted whether it were seasonable to declare resolutions of that nature before the events of the war were seen: however, he thanked them for their advice, and conjured them to use all possible diligence and expedition in advancing the supplies thither, the insolence and cruelty of the rebels daily increasing.'

85. The graciousness and temper of this answer made no impression in them; but they proceeded in their usual manner, framing, and encouraging underhand, those whispers by which the rebellion in Ireland might be understood to receive some extraordinary countenance from the Court of England, the scandal whereof they knew would quickly fall upon the Queen.

86. And the diligence and dexterity of the lord mayor caused an address to be prepared to his majesty from the court of aldermen, which was sent by the two shrieves and two others of that body, by which his majesty was humbly desired to reside at Whitehall: which angered the governing party as much as

1641 Dec. 3. the ceremonious reception had done. The petition was graciously received; all the aldermen knighted; and the Court within a day or two removed to Whitehall.

87. The letters out of Ireland were very importunate for relief, of men, money, and provisions; the rebels very much increasing, and taking courage from the slow proceeding here for their suppression, which indeed was not advanced equal to men's expectation, though the King upon his first coming to the Houses after his return from Scotland with great earnestness recommended it to them. Only the propositions made from Scotland, for the sending 10,000 men from thence into Ulster, to be paid by the Parliament, were consented to; whereby some soldiers were despatched thither to defend their own plantation, and did in truth, at our charge, as much oppress the English that were there as the rebels could have done, and had upon the matter the sole government of that province committed to them, the chief towns and garrisons, which were kept by English, being delivered into their hands. The Lieutenant himself, the earl of Leicester, (who was now grown gracious to the managers,) made not that haste to his charge some men thought necessary: pretending that the rebels had yet some apprehension and terror of his coming thither with great forces and provisions of all kinds, but that if they should hear he were landed with so small a strength as was yet raised, and in no better equipage than he was yet able to go in, they would take courage, and would oppress him before more succours could come; by reason those who yet stood upon their guard, and publicly sided not with the rebels till by the resistance and opposition they found prepared for them they might guess who was like to prevail, would then freely declare, and join with the rest.

88. The slow levies of men was imputed to the difficulty of getting volunteers; their numbers who had commissions, upon beating their drums, rising very inconsiderably: and therefore

Dec. 3. they prepared a bill for pressing, which quickly passed the Commons' House, and was sent up to the Lords. It cannot be supposed that there could be then a scarcity of men, or that it

could be hard within three months after the disbanding the northern army to gather together as many men as they had occasion to use: but their business was to get power, not men, and therefore this stratagem was used to transfer the power of impressing men from the King to themselves, and to get the King, that he might be now able to raise men for Ireland, to disenable himself from pressing upon any other occasion. For in the preamble of this bill, which they sent up to the Lords, (as they had done before in the first Act for tonnage and poundage,) they declared, 'that the King had in no case, or upon any occasion, but the invasion of a foreign power, authority to press the freeborn subject, which could not consist with the freedom and liberty of his person.' 1641

89. This doctrine was new to the Lords, and contrary to the usage and custom of all times, and seemed a great diminution of that regal power which was necessary for the preservation of his own subjects, and assistance of his allies which in many cases he was bound to yield. And the Attorney-General took the courage to desire the Lords (as he should often have done in other cases,) that he might be heard on the King's behalf before they consented to a clause so prejudicial to the King's prerogative. This necessary stop was no sooner made than the Commons laid aside the consideration of Ireland; ordered their committee to meet no more about that business; the levies which were then making of volunteers stood still; and they declared 'that the loss of Ireland must be imputed to the Lords.' On the other side, the Lords too well understood that logic to be moved by it, and were rather sensible of the inconveniences they had incurred by their former compliance than inclined to repeat the same error. Dec. 6[1]. Dec. 18.

90. In the mean time letters came every day from Ireland passionately bemoaning their condition, and multitudes of men and women and children, who were despoiled of their estates

[1] [It was on this day, on the reading the bill, that the 'King's Counsel' objected to the clause; on the 8th the Attorney General and the Counsel were ordered by the Lords to prepare their argument, and on the 18th the Attorney General was heard in opposition.]

1641 and forced into this kingdom for want of bread, spake more lamentably than the letters. In this strait they knew not what to do; for, whatever discourse they pleased themselves with concerning the Lords, it was evident the fault would lie at their own doors; besides that his majesty might take that occasion to take the whole business out of their hands, and manage it himself by his Council, which would both lessen their reputation and interest, and indeed defeat much that they had projected.

91. Hereupon, Mr. St. John, the King's Solicitor, (a man that might be trusted in any company,) went privately to his majesty, and seemed to him much troubled at the interruption given by the Commons, and to consent that the preamble was unreasonable and ought to be insisted [against][1] by the Lords on the behalf of his majesty's prerogative: however he told him, 'since he thought it impossible to rectify the Commons in their understandings, it would be a great blessing to his majesty if he could offer an expedient to remove that rub, which must prove fatal to Ireland in a short time, and might grow to such a disunion between the two Houses as might much cloud the happiness of this kingdom; and, undoubtedly, could not but have a very popular influence upon both, when both sides would be forwarder to acknowledge his majesty's great wisdom and piety than they could be now made to retract any thing that was erroneous in themselves:' and then advised him 'to come to the Houses, and to express his princely zeal for the relief of Ireland: and, taking notice of the bill for pressing depending with the Lords, and the dispute raised concerning that ancient and undoubted prerogative, to avoid further debate, to offer that the bill should pass with a *salvo jure* both for the King and people; leaving such debates to a time that might better bear it.'

Dec. 14. 92. Which advice his majesty followed; and, coming to the House, said the very words he had proposed to him. But now their business was done, (which truly, I think, no other way could have been compassed;) the divided Lords and Commons

[1] ['on,' MS.]

presently unite themselves in a petition to the King; acknowledging 1641 Dec. 16.

'his royal favour and protection to be a great blessing and security to them, for the enjoying and preserving all those private and public liberties and privileges which belong unto them; and whensoever any of those liberties or privileges should be invaded, they were bound with humility and confidence to resort to his princely justice for redress and satisfaction, because the rights and privileges of Parliament were the birthright and inheritance, not only of themselves, but of the whole kingdom, wherein every one of his subjects was interested. That amongst the privileges of Parliament, it was their ancient and undoubted right, That his majesty ought not to take notice of any matter in agitation and debate, in either House[1] of Parliament, but by their information and agreement; and that his majesty ought not to propound any condition, provision, or limitation, to any bill, or act, in debate or preparation, in either House[1] of Parliament; or to declare his consent or dissent, his approbation or dislike of the same, before it be presented to him in due course of Parliament.' They declared that 'all those privileges had been lately broken, to their great sorrow and grief, in that speech which his majesty had made to them, wherein he took notice of a bill for pressing soldiers not yet agreed upon, and offered a *salvo jure* and provisional clause to be added to it before it was presented to him.' And therefore they besought him, 'by his royal power, to protect them in those and the other privileges of his high court of Parliament, and that he would not for the time to come break or interrupt them; and that, for the reparation of them in that their grievance and complaint, he would declare and make known the name of such person by whose misinformation and evil counsel his majesty was induced to the same, that he might receive condign punishment. And this they did desire, and, as his greatest and most faithful council, did advise his majesty to perform, as a great advantage to him, by procuring and confirming a confidence and unity betwixt his majesty and his people,' &c.

93. And, having delivered this petition, they no more considered Ireland till this manifest breach should be repaired, which they resolved nothing should do but the passing the bill: and therefore, when the King offered them, by a message Dec. 29. sent by the earl of Essex, 'that he would take care, by commissions which he would grant, that ten thousand English volunteers should be speedily raised for the service of Ireland, if the Houses[2] would declare that they would pay them,' the overture was wholly rejected; they neither being willing that such a body of men should be raised by the King's direction,

[1] ['houses,' MS.]

[2] ['if so the *House of Commons* shall declare that they will pay them.' *Lords' and Commons' Journals.*]

1641 (which would probably be more at his devotion than they desired,) nor in any other way than they proposed: and so in the end (after other ill accidents intervening, which will be 1642 remembered in order,) he was compelled to pass the bill for Jan. 15. pressing which they had prepared.

94[1]. However for all this, and the better, it may be, for all this, the King upon his arrival at Whitehall found both his Houses of Parliament of a much better temper than they had been; many having great indignation to see his majesty so ill treated by his own servants and those who were most obliged to his bounty and magnificence, and likewise to discern how much ambition and private interest was covered under public pretences. They who were in truth zealous for the preservation of the law, the religion, and true interest of the nation, were solicitous to preserve the King's honour from any indignity and his regal power from violation; and so always opposed those who trenched upon either, and who could compass their ends by no other means than by trampling upon both. So that, in truth, that which was called the King's party in both Houses was made up of persons who were strangers, or without any obligation, to the Court, of the best fortunes and the best reputation in their several countries, where they were known as having always appeared very zealous in the maintenance of their just rights, and opposed, as much as in them lay, all illegal and grievous impositions: whilst his own Privy Council, (two or three only excepted,) and much the greater number of all his own servants, either publicly opposed or privately betrayed him, and so much the more virulently abhorred all those who now appeared to carry on his service, because they presumed to undertake, at least to endeavour, (for they undertook nothing nor looked for any thanks for their labour,) to do that which they ought to have done. And so they were upon this disadvantage, that, whenever they pressed any thing in the House which seemed immediately to advance the King's power and authority, some of the King's Council or his servants most opposed it, under the notion of

[1] [§§ 94–100 are from the *Life*, pp. 131–3.]

being 'prejudicial to the King's interest': whilst they who 1641
had used to govern and impose upon the House made show of being more modest, and were more silent, and endeavoured by setting new counsels on foot to entangle and engage, and indeed to overreach, the House, by cozening them into opinions which might hereafter be applicable to their ends, rather than to pursue their old designs, in hope to obtain in the end a success by their authority. The night of the Remonstrance had humbled them in that point: and from that time they rather contrived ways to silence those who opposed them by traducing them abroad, and taking any advantage against them in the House for any expressions they used in debate which might be misinterpreted, and so calling them to the bar, or committing them to the Tower: which did in truth strike such a terror into the minds of many that they forbore to come to the House, rather than expose themselves to so many uneasinesses there[1].

[1] [The following passage is here crossed out in the *Life*:—

'They found that they were so far from having gotten credit by their angry bill against the Church for the extirpation of bishops, that they had lost ground in the attempt, and therefore they seemed to decline any farther thought of such a violent proceeding, and to have more moderate inclinations; and so one morning they brought in and desired to have a bill read for the taking away the votes of the bishops out of the House of Peers, no otherwise differing from the former than it was shorter. It was opposed by many that it should be received or read, for that it was a known rule of the House that a bill rejected could not be brought again into the House during the same session, which was an order that had never been known to be violated; which Mr. Pimm confessed, but said that our orders were not like the laws of the Medes and Persians, not [to] be altered, but that they were in our own power, and that the receiving this bill, since it was in our power, would be very necessary, and would quiet the minds of many, who, it may be, would be contented with the passing this bill, who would otherwise be importunate for more violent remedies; and that there was reason to believe that the lords who had rejected the former bill were sorry for it, and would give this a better reception; and if they did not, it would meet with the same fate the other had done, and we should have the satisfaction of having discharged our own consciences. The content many men had to see the former violence declined, and more moderate counsels pursued, prevailed[1] so far that the bill was received and read; and the same reasons, with some subsequent actions and accidents, prevailed afterwards for the passing it in the House of Commons, though it received a

[1] ['it prevailed,' MS.]

1641 95. There was at this time, or thereabout, a debate started in the House, as if by mere chance, which produced many inconveniences after, and, if there had not been too many concurrent causes, might be thought the sole cause and ground of all the mischieves which ensued. Upon some report or discourse of some accident which had happened upon or in the disbanding the late army, an obscure member moved, 'That the House would enter upon the consideration whether the militia of the kingdom was so settled by law that a sudden force or army could be drawn together, for the defence of the kingdom if it should be invaded, or to suppress an insurrection or rebellion if it should be attempted[1].'

96. The House kept a long silence after the motion, the newness of it amazing[2] most men, and few in truth understanding the meaning of it; until one and another of the members who were least taken notice of, seeming to be moved by the weight of what had been said, enlarged upon the same argument: and in the end it was proposed, 'That a committee might be appointed to consider of the present state of the militia and the power of it; and to prepare such a bill for the settling it as might provide for the public peace, and for the suppressing any foreign enemy or domestic insurrection.'

97. And hereupon they were inclined to nominate a committee to prepare such a bill as should be thought necessary: upon which Mr. Hyde spake against the making any such committee, [and] said, 'There could be no doubt that the power of the militia resided in the King, in whom the right

greater opposition than it had done formerly. And the lord Falkland then concurring with his friend Mr. Hyde in the opposing it, Mr. Hambden said that he was sorry to find a noble lord had changed his opinion since the time the last bill to this purpose had passed the House; for he then thought it a good bill, but now he thought this an ill one. To which the lord Falkland presently replied, that he had been persuaded at that time by that worthy gentleman to believe many things which he had since found to be untrue, and therefore he had changed his opinion in many particulars, as well to things as to persons.']

[1] [Cf. §§ 244–6, book iii, for a different account taken from the *Hist.*, of the debates on the Militia, from that here given, in §§ 95–100, from the *Life*.]

[2] ['amusing' in former editions.]

of making war and peace was invested; that there had never 1641
yet appeared any defect of power by which the kingdom had been in danger, and we might reasonably expect the same security for the future.' With which the House seemed well satisfied and composed, and inclined to resume some other debate, until St. John, who was then the King's Solicitor, and the only man in the House of his learned counsel, stood up, and said, 'He could not suffer that debate, in which there had been so many weighty particularities mentioned, to be discontinued without some resolution: that he would be very glad there were that power in the King, (whose rights he was bound to defend) as the gentleman who spake last seemed to imagine; which, for his part, he knew there was not; that the question was not about taking any power from the King which was vested in him, (which was his duty always to oppose,) but to inquire, whether there be such a power in him, or any where else, as is necessary for the preservation of the King and the people in many cases that may fall out; and if there be not, then to supply him with that power and authority;' and he said, 'he did take upon him with confidence to say that there was a defect of such power and authority.' He put them in mind, 'how that power had been executed in the age in which we live; that the Crown had granted commissions to great men to be lord lieutenants of counties, and they to gentlemen of quality to be their deputy lieutenants, and to colonels and other officers to conduct and list soldiers;' and then he wished them to consider what votes they had passed of the illegality of all those commissions, and the unjustifiableness of all the proceedings which had [been] by virtue of those commissions; so that, let the occasion or necessity be what it would, he did presume no man would hereafter execute any such commission, and if there were any men so hardy, that nobody would obey them; and therefore desired them to consider 'whether there be not a defect of power, and whether it ought not to be supplied.'

98. It was now evident enough that the debate had not begun by chance, but had been fully deliberated; and what

1641 use they would make, upon occasions, of those volumes of votes they had often poured out upon all accidental debates; and no man durst take upon him to answer all that had been alleged by saying all those votes were of no validity, and that the King's right was, and would be judged, the same it had been before, notwithstanding those votes; which is very true: but this being urged by the King's own Solicitor, they appointed him to bring in and prepare such a bill as he thought necessary; few men imagining that such a sworn officer would not be very careful and tender of all his master's prerogatives, which he was expressly sworn to defend.

[Dec. 21 ?] 99. Within few days after, he brought in a very short bill, in which was mentioned by way of preface, 'That the power over the militia of the kingdom was not settled in any such manner that the security of the kingdom was provided for in case of invasion, or insurrection, or such like accidents;' and then an enacting clause, 'That henceforward the militia, and all the power thereof, should be vested in, &c.——,' and then a large blank left for inserting names; and afterwards, the 'absolute authority to execute, &c.' The ill meaning whereof was easily understood, and with some warmth pressed, 'that by this bill all the power would be taken out of the Crown, and put into the hands of commissioners.' To which the Solicitor made answer, 'That the bill took no power from any body who had it, but was provided to give power where it was not; nor was there mention of any commissioners; but a blank was therefore left that the House might fill it up as they thought fit, and put the power into such hands as they thought proper; which, for ought he knew, might be the King's, and he hoped it would be so.'

100. And with this answer the bill was received, notwithstanding all opposition, and read; all those persons who had formerly been deputy lieutenants, and lay under the terror of that vote, presuming that this settlement would provide for the indemnity of all that had passed before; and the rest, who might still be exposed to the same hazards if they should be required to act upon the like occasions, concurring in the

desire that somewhat might be done for a general security. 1641
And they who had contrived it were well enough contented that it was once read, not desiring to prosecute it till some more favourable conjuncture should be offered: and so it rested [1].

101 [2]. About this time the King, not being well satisfied in the affection or fidelity of sir William Balfore, whom he had some years before, to the great and general scandal and offence of the English nation, made lieutenant of the Tower, 1630 Oct. 18.

[1] [The following passage is here struck out in the MS. of the *Life*, p. 133:—

'And so those two great bills, the one against the bishops sitting in the House of Peers and the other for the militia, were the subject of the present designs in the House of Commons, and called upon as any thing fell out which might advance either; but for the present they seemed most intent and solicitous upon that against the bishops, in which they still found great opposition; and did very visibly lose ground in the House of Commons as the King's friends grew daily stronger in the House of Peers.

'The King resolved to make the right use of this temper in the two Houses, and to expect what benefit it would produce to his service, and to give all the countenance he could to those who behaved themselves well, and to give over all private treaties with those who had disserved him and still pursued those ways which sufficiently informed him that they did not intend to depend upon him, but that he should depend upon them: which resolution was well taken, if it had been as punctually pursued. As soon as he returned from Scotland he made Mr. Nicholas, one of the clerks of the Council, who had been secretary to the duke of Buckingham for the maritime affairs, a man of good experience and of a very good reputation, Secretary of State, in the place of Winnibank; and shortly after, as is said, he removed sir H. Vane, who had attended him in Scotland, and whom he had found mischievously false to his service, out of the other Secretary's place, reserving that vacant till he should find somebody who would deserve it; having taken his staff of Treasurer of the house from him before, and given it to as ill a man, the lord Savill, who had no other merit than having been one of the first conspirators against him in the bringing in the Scots to invade England, and in the conspiracy against the earl of Strafford out of a personal malice, from the animosities between their families; and when all the mischieve was brought to pass that he desired, he very frankly discovered the whole to the King, and who were guilty of the same treason, when there was no way to call them in question for it, and made all the vows and protestations of future fidelity; and was a bold talker, and applicable to any undertaking, good, bad, or indifferent, but without any reputation of ingenuity or integrity. And for this conversion and discovery, he had, presently after the death of the earl of Strafford, that office of the household conferred upon him, and had been amongst those of that gang likewise made a Privy Councillor.']

[2] [§§ 101–121 are from the *Hist.*, pp. 96–99.]

1641 and finding that the seditious preachers every day prevailed in the city of London, and corrupted the affections and loyalty of the meaner people towards the government of Church and State, resolved to put that place (which was looked upon as a bridle upon the city) into the hands of such a man upon
Dec. 23. whom he might rely: and yet he was willing to be quit of the other without any act of disobligation upon him, and therefore gave him £3000 ready money, which was raised by the sale of some of the Queen's own jewels; and immediately caused
Dec. 24. colonel Lunsford to be sworn in his place lieutenant of the Tower.

102. This was no sooner known than the House of Commons found themselves concerned in it; and, upon pretence that so excellent a person as sir William Balfore (who in truth was very gracious to them, for the safe keeping the earl of Strafford) could not be removed from that charge but upon some eminent design against the city and the kingdom, and that the man who was appointed for his successor was a person of great license, and known only by some desperate acts[1] for which he had been formerly imprisoned by the State, and, having made
Dec. 23. his escape, fled the kingdom, they desired the Lords to join with them in a petition to the King, to put the Tower into better hands; making such arguments against the person of
Dec. 23. the man as before spoken of. The Lords replied to them, 'That it was an argument of that nature they thought not themselves competent advisers in it; the custody of the Tower being solely at the King's disposal, who was only to judge of the fitness of the person for such a charge.' But at the same time that they refused to join in a public desire to the King, they caused privately advice to be given to him that he should make choice of a fitter person, against whom no exceptions could be made. For indeed sir Thomas Lunsford was not then known enough, and of reputation equal to so envious a province; and
Dec. 26. thereupon, within two or three days at most, he resigned the place, and the King constituted sir John Byron in the place.

103. This gave them no satisfaction in the change, since it had no reference to their recommendation, which they only

[1] [Rushworth, III. i. 460.]

looked after: but it gave them great delight to see that the 1641
King's counsels were not so fixed but their clamour might alter them; and that, doing hurt being as desirable a degree of power as doing good and likely to gain them more proselytes, they had marred a man though they could not make one. And without doubt it was of great disadvantage to the King that that counsel had not been formed with such deliberation that there would need no alteration, which could not be made without a kind of recognition.

104. All this time the bill depended in the Lords' House for the taking away the votes of bishops and removing them from the House of Peers, which was not like to make a more prosperous progress there than it had six months before; it being evident that the jurisdiction of the peerage was invaded by the Commons, and therefore that it was not reasonable to part with any of their supporters. But the virulence against them still increased; and no churches frequented but where they were preached against as antichristian; the presses swelled with the most virulent invectives against them; and a sermon was preached at Westminster, and afterwards printed under the title of *The Protestation Protested*, by the infamous Burton[1], whereby he declared that all men were obliged by their late protestation, by what means soever, to remove both bishops and the Common Prayer Book out of the Church of England as impious and papistical: whilst all the learned and orthodox divines of England were looked upon under the notion of *scandalous ministers*, and if the meanest and most vicious parishioner they had could be brought to prefer a petition against either of them to the House of Commons, (how false soever,) he was sure to be prosecuted as such.

105. In the end, a petition was published in the name of Dec. 23.
'the apprentices and those whose apprenticeships were lately expired, in and about the city of London;' and directed 'To the King's most excellent majesty in the Parliament now assembled;' shewing, 'That they found by experience, both by

[1] [A sermon on Eccles. v. 4, 5, printed in 1641, without name of author, printer, or publisher.]

1641 their own and masters' tradings, the beginning of great mischieves coming upon them, to nip them in the bud when they were first entering into the world; the cause of which they could attribute to no others but the Papists and the prelates and that malignant party which adhered to them: that they stood solemnly engaged, with their utmost of their lives and fortunes, to defend his sacred majesty and royal issue, together with the rights and liberties of Parliaments, against Papists, and popish innovators, such as archbishops, bishops, and their dependents, appear to be. They desired his majesty in Parliament to take notice that notwithstanding the much unwearied pains and industry of the House of Commons to subdue Popery and popish innovators, neither is Popery yet subdued, nor prelates are yet removed; whereby many had taken encouragements desperately to plot against the peace and safety of his dominions: witness the most barbarous and inhuman cruelties perpetrated by the Papists in Ireland; from whence,' they said, 'a new spring of fears and jealousies arose in them: and therefore they desired that the popish lords and other eminent and dangerous Papists in all parts of the kingdom might be looked unto and secured, the laws against priests and Jesuits fully executed, and the prelacy rooted up: that so the work of reformation might be prosperously carried on, their distracting fears removed, that the freedom of commerce and trade might pass on more cheerfully, for the encouragement of the petitioners,' &c.

106. This and such stuff being printed and scattered amongst the people, multitudes of mean people flocked to Westminster Hall, and about the Lords' House, crying, as they went up and down, '*No bishops, no bishops,*' that so they might carry on the reformation.

Nov. 26 107. I said before, that upon the King's return from Scotland he discharged the guards that attended upon the Houses. Whereupon the House of Commons (for the Lords refused to join with them [1]) petitioned the King, 'in regard of the fears

[1] [This is incorrect: for 'the Lords, after some dispute, consented:' Rushworth, III. i. 435.]

they had of some design from the Papists, that they might continue such a guard about them as they thought fit.' 1641

108. To which his majesty answered, 'That he was confident they had no just cause of fear, and that they were as safe as himself and his children: but, since they did avow such an apprehension of danger, that he would appoint a sufficient guard for them.' And thereupon directed the [1] train-bands of Westminster and Middlesex (which consisted of the most substantial householders, and were under known officers) in fit numbers to attend. Nov. 27.

109. This security was not liked, and it was asked, *Quis custodiet ipsos custodes?* And when the disorderly rabble I spake of now first came down they resisted them, and would not suffer them to disturb the Houses; and some of them with great rudeness pressing to the door of the House of Peers, their lordships appointed the guard to be called up to remove them; and the earl of Dorset, being then lord lieutenant of Middlesex, the crowd oppressing him and refusing to leave the room, in some passion called upon the guard 'to give fire upon them;' whereupon the rabble, frighted, left the place, and hasted away.

110. The House of Commons, much incensed that their friends should be so used, much inveighed against the earl of Dorset, and talked of accusing him of high treason, at least of drawing up some impeachment against him, for some judgment he had been party to in the Star-Chamber or Council-table: and so, giving these hints of their displeasure that he might have the more care hereafter to carry himself, they concluded that, since they could not have such a guard as pleased them, they would have none at all: and so sent to the Lords for the discharge of the train-bands that attended, who willingly consented to it; which was done accordingly, the House of Commons declaring, 'That it should be lawful for every member to bring his own servants to attend at the door, armed with such weapons as they thought fit.' Nov. 30.

111. It was quickly understood abroad that the Commons liked well the visitation of their neighbours: so that the people

[1] ['that the,' MS.]

1641 assembled in greater numbers than before about the House of Peers, calling still out with one voice, '*No bishops, no popish lords,*' crowded and affronted such lords as came near them, and whom they knew affected not their ends, calling them '*rotten-hearted lords.*'

Dec. 2[1]. 112. Hereupon the House of Peers desired a conference with the Commons, at which they complained of these tumults, and told them 'that such disorders would be an imputation upon the Parliament, and make it be doubted whether they had freedom, and so might happily become a blemish to those many good laws they had already passed, as well as prevent the making more:' and therefore desired them, that they would, for the 'dignity of parliaments,' join with them in a declaration for the suppressing such tumults. This was reported to the Commons; and as soon laid aside, for the handling of other matters of more importance[2].

113. The tumults continued, and their insolencies increased;

Dec. 28. insomuch as many dissolute and profane people went into the abbey at Westminster, and would have pulled down the organs and some ornaments of the church; but being resisted, and by force driven out, they threatened they would come with greater numbers, and pull down the church.

Dec. 27. 114. Hereupon the Lords again send to the House of Commons to join with them in their declaration; and many members of that House complained that they could not come with safety to the House, and that some of them had been assaulted, and very ill entreated, by those people that crowded about that door. But this could not be procured; the debate being still put off to some other time, after several speeches had been made in justification of them and commendation of their affections: some saying 'they must not discourage their friends, this being a time they must make use of all friends;' Mr. Pim himself saying, 'God forbid the House of Commons should proceed, in any way, to dishearten people to obtain their just desires in such a way.'

[1] [A previous conference on Nov. 30.]

[2] ['3 Dec. ordered the same debate bee resumed to-morrowe, but noe more heard of it.' Clarendon MSS. State Papers in Bodl. Libr., No. 1544. See *Calendar*, vol. I. p. 222.]

115. In the end, the Lords required the advice of the judges what course was legally to be taken to suppress and prevent those disorders: and thereupon directed the Lord Keeper of the Great Seal to issue out a writ, upon the statute of Northampton [2], to the shrief and justices, to appoint strong watches in such places as they judged most convenient, to hinder that unlawful conflux of people to Westminster, to the disturbance of their consultations. Which writ issuing accordingly, the justices of peace, in obedience thereunto, appointed the constables to attend at the water-side and places near about Westminster, with good watches, to hinder that tumultuous resort. 1641 Dec. 11[1]. Dec. 2.

116. This was no sooner done than the constables were sent for, and, after the view of their warrants, required to discharge their watches; and then the justices convened, and examined; and, albeit it appeared that what they had done was in pursuance of a legal writ, directed to them under the Great Seal of England, by the advice of the Lords in Parliament, without so much as conferring with the Lords upon that act of theirs, the setting such a watch was voted to be a breach of privilege, and one of the justices of the peace [3], who according to his oath had executed that writ, was committed to the Tower for that offence. Dec. 10. Dec. 11. Dec. 11, 13.

117. Upon this encouragement all the factious and schismatical people about the city and suburbs assembled themselves together with great license, and would frequently, as well in the night as the day, convene themselves, by the sound of a bell or other token, in the fields, or some convenient place, to consult, and receive orders from those by whom they were to be disposed. A meeting of this kind being about the time we speak [4] of in Southwark, in a place where their arms and magazine for that borough was kept, the constable, being a sober man, and known to be an enemy to those acts of sedition, went amongst them to observe what they did: he was no sooner espied but he was reproached with disdainful words, beaten, and dragged in so barbarous a manner that he hardly escaped with his life. Complaint was made to the next justices, and oath of the truth

[1] [And again on Dec. 29.]
[2] [2 Hen. V. c. 8, at Leicester.]
[3] [George Long.]
[4] ['spake,' MS.]

1641 of the complaint: whereupon a writ was directed to the shrief to impanel a jury, according to the law, for the inquisition and examination of that riot.

118. This was complained of in the House of Commons as an act that concerned their privileges: for that it was pretended 'that meeting in Southwark had been by godly and well affected men, only to draw up and prepare a petition against bishops, and that the constable, being a friend to bishops, came amongst them to cross them, and to hinder men from subscribing that wholesome petition.' And upon this discourse, without any further examina-
Dec. 14. tion, an order was made by that House, 'that the under-shrief of Surrey should be enjoined not to suffer any proceedings to be made upon any inquisition that might concern any persons who met together to subscribe a petition to be preferred to that House.'

119. By this, and other means, all obstacles of the law being removed, and the people taught a way to assemble lawfully together, in how tumultuous a manner soever, and the Christmas holidays giving more leave and license to all kinds of people, the concourse grew more numerous about Westminster; the people sometimes, in their passage between the city and Westminster, making a stand before Whitehall, and crying out, '*No bishops, no bishops, no popish lords,*' would say aloud 'that they would have no more porter's lodge, but would speak with the King when they pleased:' and, where they came near the two Houses, took out papers from their pockets, and, getting upon some place higher than the rest, would read the names of several persons under the title of '*disaffected members of the House of Commons*;' and called many lords '*false, evil, and rotten-hearted lords.*' But their rage and fury against the bishops grew so high that they threatened to pull down the lodgings where they lay, offered to force the doors of the abbey at Westminster, which were kept locked many days and defended by a continual guard within, and assaulted the persons of some of the bishops in their coaches; and laid hands on the
Dec. 27. archbishop of York in that manner that, if he had not been seasonably rescued, it was believed they would have murdered him: so that all the bishops, and many other members of both

Houses, withdrew themselves from attending in the Houses, out of a real apprehension of endangering their lives. 1641

120. These insurrections by this means were so countenanced that no industry or dexterity of the lord mayor of London, sir Richard Gurny, could give any check to [them[1]]; but, instead thereof, himself with great and very notable courage opposing all their fanatic humours both in the Court of Aldermen and at the Common Council, grew to be reckoned in the first form of the *Malignants*, (which was the term they imposed upon all those they meant to render odious to the people,) insomuch as his house was no less threatened and disquieted by the tumults than the House of Lords: and when he apprehended some of those who were most notorious in the riot, and committed them Dec. 29. to the custody of both the shrieves of London in person, to be carried to Newgate, they were by the power and strength of their companions rescued from them in Cheapside, and the two shrieves compelled to shift for their own safety. And when it was offered to be proved by a member in the House of Commons[2] that the wife of captain Venn, (having received a letter from her husband to that purpose, who was one of the burgesses for London, and was known himself to lead those men that came tumultuously down to Westminster and Whitehall at the time of the passing the bill of attainder of the earl of Strafford,) had with great industry solicited many people to go down with their arms to Westminster upon a day that was named, when, she Nov. 25. said, her husband had sent her word that in the House of Commons they were together by the ears, and that the worser party was like to get the better of the good party, and therefore her husband desired his friends to come with their arms to Westminster to help the good party, and that thereupon very many in a short time went thither, they who offered to make proof of the same were appointed to attend many days, but, Dec. 13, 14, notwithstanding all the importunity that could be used, were 16, 17, 20. never admitted to be heard.

[1] ['it,' MS.]

[2] [A note of the offered evidence is among the Clarendon MSS. See *Cal. of Clar. S. P.*, vol. I. p. 221, where it is wrongly dated as Nov. 24.]

1641 121. All this time the King (who had been with great solemnity invited [by [1]] the city of London, and desired to make his residence nearer to them than Hampton Court) was at Whitehall, where, besides his ordinary retinue and menial servants, many officers of the late disbanded army, who solicited their remainder of pay from the two Houses which was secured to them by Act of Parliament, and expected some farther employment in the war with Ireland, upon observation and view of the insolence of the tumults and the danger that they might possibly bring to the Court, offered themselves for a guard to his majesty's person, and were with more formality and ceremony entertained by him than, upon a just computation of all distempers, was by many conceived seasonable. And from these officers, warm with indignation at the insolencies of that vile rabble which every day passed by the Court, first words of great contempt, and then (those words commonly finding a return of equal scorn) blows, were fastened upon some of the most pragmatical of the crew. This was looked upon by the House of Commons like a levying war by the King, and much pity expressed by them that the poor people should be so used who came to them
Dec. 27. with petitions, (for some few of them had received some cuts and slashes that had drawn blood,) and that made a great argument for reinforcing their numbers. And from those contestations the two terms of '*Roundhead*' and '*Cavalier*' grew to be received in discourse, and were afterwards continued, for the most succinct distinction of affections throughout the quarrel: they who were looked upon as servants to the King being then called '*Cavaliers*,' and the other of the rabble contemned and despised under the names of '*Roundheads*.'

122 [2]. The House of Commons being at this time without any member who, having relation to the King's service, would express any zeal for it, and could take upon him to say to others whom he would trust what the King desired, or to whom they who wished well could resort for advice and direction; so that whilst there was a strong conjunction and combination to disturb the government by depraving it, whatever was said or

[1] ['from,' MS.] [2] [§§ 122–139, from the *Life*, pp. 134–9.]

done to support it was as if it were done by chance, and by the 1641
private dictates of the reason of private men; the King resolved to call[1] the lord Falkland, and sir John Culpeper, who was knight of the shire for Kent, to his Council, and to make the former Secretary of State in the place of Vane that had been kept vacant, and the latter Chancellor of the Exchequer, which office the lord Cottington had resigned that Mr. Pim might be put into that office when the lord Bedford should have been Treasurer, as is mentioned before. They were both of great authority in the House; neither of them of any relation to the Court, and therefore what they said made the more impression; and they were frequent speakers. The lord Falkland was wonderfully beloved by all who knew him, as a man of excellent parts, of a wit so sharp and a nature so sincere that nothing could be more lovely. The other was generally esteemed as a good speaker, being a man of an universal understanding, a quick comprehension, a wonderful memory, who commonly spake at the end of the debate, when he would recollect all that had been said of weight on all sides with great exactness, and express his own sense with much clearness, and such an application to the House that no man more gathered a general concurrence to his opinion than he; which was the more notable because his person and manner of speaking were ungracious enough; so that he prevailed only by the strength of his reason, which was enforced with confidence enough. His infirmities were known only to his nearest friends, or those who were admitted into his most intimate conversation[2].

123. The King knew them to be of good esteem in the House, and good affections to his service and the quiet of the kingdom, and was more easily persuaded to bestow those preferments upon them than the lord Falkland was to accept that which was designed to him. No man could be more surprised than he was when the first insinuation was made to him of the King's purpose: he had never proposed any such thing to himself, nor had

[1] [The words 'the King resolved to call,' are substituted in the MS. for 'Mr. Hyde wished the lord Digby to advise the King to call.']

[2] [This last sentence is struck out in the MS.]

1641 any veneration for the Court, but only such a loyalty to the person of the King as the law required from him. And he had naturally a wonderful reverence for parliaments, as believing them most solicitous for justice, the violation whereof, in the least degree, he could not forgive any mortal power: and it was only his observation of the uningenuity and want of integrity in this [Parliament], which lessened that reverence to it, and which had disposed him to cross and oppose their designs. He was so totally unacquainted with business, and the forms of it, that he did believe really he could not execute the office with any sufficiency. But there were two considerations that made most impression upon him; the one, lest the world should believe that his own ambition had procured this promotion, and that he had therefore appeared signally in the House to oppose those proceedings that he might thereby render himself gracious to the Court: the other, lest the King should expect such a submission and resignation of himself and his own reason and judgment to his commands, as he should never give or pretend to give; for he was so severe an adorer of truth that he could as easily have given himself leave to steal as to dissemble, or to suffer any man to think that he would do any thing which he resolved not to do; which he thought a more mischievous kind of lying than a positive averring what could be most easily contradicted.

124. It was a very difficult task to Mr. Hyde, who had most credit with him, to persuade him to submit to this purpose of the King cheerfully, and with a just sense of the obligation, by promising that in those parts of the office which required most drudgery he would help him the best he could, and would quickly inform him of all the necessary forms. But, above all, he prevailed with him by enforcing the ill consequence of his refusal to take the office, which would be interpreted to his dislike of the Court and his opinion that more would be required from him than he could honestly comply with, which would bring great prejudice to the King: on the other hand, the great benefit that probably would redound to the King and the kingdom by his accepting such a trust in such a general defection,

by which he would have opportunity to give the King a truer information of his own condition and the state of the kingdom than it might be presumed had been given to him, and to prevent any counsels or practice which might more alienate the affections of the people from the government; and then, that by this relation he would be more able to do the King service in the House, where he was too well known to have it believed that he attained to it by any unworthy means or application. And, in the end, he was persuaded to submit to the King's good pleasure, though he could not prevail upon himself to do it with so good a grace as might raise in the King any notable expectation of his departing from the severity of his own nature. 1642

125. And so they were both invested in those offices [1], to the no small displeasure of the governing party, which could not dissemble their indignation that any of their members should presume to receive those preferments which they had designed otherwise to have disposed of. They took all opportunities to express their dislike of them, and to oppose any thing they proposed to them. And within few days there came a letter out in print, pretended to be intercepted, as written from a Roman Catholic to another of the same profession, in which he gives an account that 'they had at last, by the interest of their friends, procured those two noble persons' (who are mentioned before) 'to be preferred to those offices, and that they were well assured that they would be ready to do them and all their friends all good offices [2].' Sir John Culpeper thought fit to take notice of it in the House, and to make those professions of his religion which he thought necessary. But the lord Falkland chose rather

[1] [The warrant appointing Colepeper Chancellor of the Exchequer is dated Jan. 6; *Calend. Clar. St. P.*, I. 222. But he is mentioned under that title in the *Commons' Journals* on Jan. 3.]

[2] [A broadside 'printed for Joseph Hunscott,' (of which a copy is among Clarendon's MSS.,) professing to be a letter from a Roman Catholic, one R. E., to 'Master Anderton,' has these words; 'Faulkland and Culpepper are friends to our side, at leastwise they will do us no hurt.' The letter was communicated to the House of Commons, and is printed in the *Journals* under Jan. 11, and *infra*, note to § 203. Nalson, who says (ii. 837) that the original was in his possession from the office of the clerk of the Parliament, asserts that the handwriting was that of Sir A. Weldon.]

1642 to contemn it, without taking any notice of the libel, well knowing that he was superior to those calumnies; as indeed he was, all of that profession knowing that he was most irreconcilable to their doctrine, though he was always civil to their persons. However grievous this preferment was to the angry part of the House, it was very grateful to all those both within and without the House who wished well to the King and to the kingdom.

126. The King at the same time resolved to remove another officer[1] who did disserve[2] him notoriously, and to prefer Mr. Hyde to that place; with which their gracious intentions both their majesties acquainted him; but he positively refused it, and assured both their majesties that he should be able to do much more service in the condition he was in, than he should be if that were improved by any preferment they could confer upon him at that time; and he added, 'that he had the honour to have much friendship with the two persons who were very seasonably advanced by his majesty, when his majesty's service in the House of Commons did, in truth, want some countenance and support; and by his conversation with them he should be so well instructed by them, that he should be more useful to his majesty than if he were under a nearer relation and dependence.' The King, with a very gracious countenance, told him that he perceived he must for some time defer the laying any obligation upon him, but bade him be assured he would find both a proper time and a suitable preferment for him, which he should not refuse. 'In the mean time,' he said, 'he knew well the friendship that was between the two persons whom he had taken to his Council and him, which was not the least motive to him to make that choice, and that he would depend as much at least upon his advice as upon either of theirs; and therefore wished that all three would confer together how to conduct his service in the House, and to advise his friends how to carry themselves most to the advantage of it, and to give him constant advertisements of what passed, and counsel when it was fit for him to do any thing;' and declared that 'he would do nothing that in

[1] ['St. John, Solicitor General.' Warburton's notes.]
[2] ['deserve,' MS.]

any degree concerned or related to his service in the House of Commons without their joint advice, and exact communication to them of all his own conceptions;' which, without doubt, his majesty did at that time steadfastly resolve, though in very few days he did very fatally swerve from it; and so, giving him the liberty to repair to either of their majesties[1] whenever he thought fit, he was very graciously dismissed. 1642

127. By what hath been said before it appears that the lord Digby was much trusted by the King, and he was of great familiarity and friendship with the other three, at least with two of them; for he was not a man of that exactness as to be in the entire confidence of the lord Falkland, who looked upon his infirmities with more severity than the other two did, and he lived with more frankness towards those two than he did towards the other: yet between them two there was a free conversation and kindness to each other. He was a man of very extraordinary parts by nature and art, and had surely as good and excellent an education as any man of that age in any country: a graceful and beautiful person; of great eloquence and becomingness in his discourse, (save that sometimes he seemed a little affected,) and of so universal a knowledge that he never wanted subject for a discourse: he was equal to a very good part in the greatest affair, but the unfittest man alive to conduct it, having an ambition and vanity superior to all his other parts, and a confidence peculiar to himself, which sometimes intoxicated and transported and exposed him. He had from his youth, by the disobligations his family had undergone from the duke of Buckingham and the great men who succeeded him, and some sharp reprehension himself had met with[2] which obliged him to a country life, contracted a prejudice and ill-will to the Court; and so had in the beginning of the Parliament engaged himself with that party which discovered most aversion from it, with a passion and animosity equal to their own, and therefore very acceptable to them. But when he was weary of their violent counsels, and withdrew

[1] ['in the same place;' struck out in the MS.]

[2] [He was committed to the Fleet in June, 1634, but released in July, for striking Mr. Crofts in Spring Garden, within the precincts of the Court. *Cal. Dom. S. P.*, 1634–5 (1864), pp. 81, 129.]

1642 himself from them with some circumstances which enough provoked them, and made a reconciliation and mutual confidence in each other for the future manifestly impossible, he made private and secret offers of his service to the King, to whom, in so general a defection of his servants, it could not but be very agreeable: and so his majesty, being satisfied both in the discoveries he made of what had passed and in his professions for the future, removed him from the House of Commons, where he 1641 had rendered himself marvellously ungracious, and called him June 9. by writ to the House of Peers, where he did visibly advance the King's service, and quickly rendered himself grateful to all those who had not thought too well of him before, when he deserved less; and men were not only pleased with the assistance he gave upon all debates by his judgment and vivacity, but looked upon him as one who could derive the King's pleasure to them, and make a lively representation of their good demeanour to the King, which he was very luxuriant in promising to do, and officious enough in doing as much as was just.

128. He had been instrumental in promoting the three persons above-mentioned to the King's favour, and had himself, in truth, so great an esteem of them that he did very frequently, upon conference together, depart from his own inclinations and opinions and concurred in theirs; and very few men of so great parts are, upon all occasions, more counsellable than he; so that he would seldom be in danger of running into great errors if he would communicate and expose all his own thoughts and inclinations to such a disquisition; nor is he uninclinable in his nature to such an entire communication in all things which he conceives to be difficult. But his fatal infirmity is, that he too often thinks difficult things very easy; and doth not consider possible consequences when the proposition administers somewhat that is delightful to his fancy, and by pursuing whereof he imagines he shall reap some glory to himself, of which he is immoderately ambitious; so that, if the consultation be upon any action to be done, no man more implicitly enters into that debate, or more cheerfully resigns his own conceptions to a joint determination: but when it is once affirmatively resolved, (besides that he may

possibly reserve some impertinent circumstance, as he thinks, 1642
the imparting whereof would change the nature of the thing,) if his fancy suggests to him any particular which himself might perform in that action, upon the imagination that every body would approve it if it were proposed to them he chooses rather to do it than to communicate, that he may have some signal part to himself in the transaction in which no other person can claim a share. And by this unhappy temper he did often involve himself in very unprosperous attempts.

129. The King himself was the unfittest person alive to be served by such a counsellor, being too easily inclined to sudden enterprises, and as easily amazed when they were entered upon. And from this unhappy composition in the one and the other, a very unhappy counsel was entered upon, and resolution taken, without the least communication with either of the three which had been so lately admitted to an entire trust[1].

[1] [The following paragraph (with which *cf.* §§ 104-119) is here struck out in the MS. of the *Life*, p. 136,

'The bill, which had been so irregularly brought into the House of Commons for the putting the bishops out of the House of Peers, was carried in that House by being called upon in thin houses, and [by] the fatal negligence of those who could never be induced to attend the service in which their country had trusted them, and to which in truth all the calamities that afterwards befell the kingdom are to be imputed; the number of those who disliked, and when they were present opposed, those seditious proceedings being much superior in number to the other, who, by their artifices in the contriving and prosecuting their ill designs, but especially by their indefatigable industry, prevailed in what they went about. But when it came into the House of Peers it found no reception answerable to their expectation; it was permitted to be read with great opposition, and, being once read, the number of those who opposed it was so much greater than the other which favoured and advanced it, that they could have no reasonable hope of ever being able to get it passed there; and this opposition put them to their wit's end, so that, being without any other hope, they resorted to their last remedy, which had once before served their turn in the destruction of the earl of Strafford. And the rabble of prentices and inferior people of the city flocked in great multitudes about the House of Peers, crying out, even at the doors of the House, that 'they would have no bishops;' and as the bishops passed towards the House to perform their duty, they stopped their passage, and would not suffer them to go in; and assaulted the persons of others, and pulled and tore their habits from their backs; treating likewise some members of the House of Commons very rudely, as they passed upon messages and conferences between

1641 130 [1]. The bishops, who were in this manner [§ 119] driven and kept from the House of Peers and not very secure in their own, could not have the patience to attend the dissolution of this storm, which in wisdom they ought to have done: but considering right and reason too abstractly, and what in justice was due, not what in prudence was to be expected, suffered themselves implicitly to be guided by the archbishop of York (who was of a proud, restless, overweening spirit) to such an act of indiscretion and disadvantage to themselves, that all their enemies could not have brought upon them. This bishop, as is said, was a man of a very imperious and fiery temper, Dr. Williams, who had been Keeper of the Great Seal of England in the time of king James, and bishop of Lincoln. After his removal from that church he had lived splendidly in his diocese, and made himself very popular amongst those who had no reverence for the Court, of which he would frequently, and in the presence of many, speak with too much freedom, and tell many stories of things and persons upon his own former experience; in which, being a man of great pride and vanity, he

the two Houses, when they used those of the members who were grateful to them with great respect and observance. And those with whom they were displeased, when they could sever them from the rest, they crowded, and pressed, and trod upon; and had several papers in their hands, which they read with a loud voice, standing upon the table and in other places of the Court of Request, in which they read the names of several persons, under the style of '*Persons disaffected to the kingdom*;' amongst which sir John Strangeways was the first, and Mr. Hyde was the second, and then the lord Falkland and sir John Culpeper; and the rest who were most troublesome to them were likewise nominated. And when complaint was made to the House of Commons for this disorder and breach of privilege, it was turned into mirth, and the names of the persons required of those who complained, and who could not be supposed to know any of that rabble; which made very many of the members of the Houses forbear to give their attendance there, out of real apprehension of danger to their persons. It was in the time of the Christmas holydays, which gave the greater opportunity to the tumults, and in which parliaments had never used to sit, and when very many of the House of Commons had, according to their custom, retired into the country, to keep their Christmas with their neighbours, according to the good old fashion of England.

' There was amongst the bishops one of a very imperious and fiery temper, Dr. Williams,' &c.; *ut supra*, § 130.]

[1] [The first sentence in this paragraph is from the MS. of the *Hist.*, p. 99.]

did not always confine himself to a precise veracity, and did often presume in those unwary discourses to mention the person of the King with too little reverence. He did affect to be thought an enemy to the archbishop of Canterbury, whose person he seemed exceedingly to contemn; and to be much displeased with those ceremonies and innovations, as they were then called, which were countenanced by the other; and had himself written and published in his own name, and by his own authority, a book against the using those ceremonies, in which there was much good learning and too little gravity for a bishop. His passion and his levity gave every day great advantages to those who did not love him; and he provoked too many, not to have those advantages made use of: so that, after several informations against him in the Star-Chamber, he was sentenced for no less crimes than for perjury and subornation of perjury, and fined in a great sum of money to the King, and committed prisoner to the Tower, without the pity or compassion of any but those who, out of hatred to the government, were sorry that they were without so useful a champion; for he appeared to be a man of a very corrupt nature, whose passions could have transported him into the most unjustifiable actions. 1641 1637 July 11.

131. He had a faculty of making relations of things done in his own presence, and discourses made to himself or in his own hearing, with all the circumstances of answers and replies, and upon arguments of great moment; all which upon examination were still found to have nothing in them that was real, but to be the pure effect of his own invention. After he was sentenced in the Star-Chamber, some of his friends resorted to him to lament and condole with him for his misfortune; and some of them seemed to wonder that, in an affair of such a nature, he had not found means to have made some submission and composition that might have prevented the public hearing, which proved so much to his prejudice in point of reputation as well as profit. He answered them, with all the formality imaginable, that 'they had reason indeed to wonder at him upon the event; but when they should know how he had

1641 governed himself, he believed they would cease to think him worthy of blame.' And then related to them, that 'as soon as publication had passed in his cause, and the books were taken out, he had desired his counsel (who were all able men, and some of them very eminent) in the vacation time, and they at most leisure, to meet together, and carefully to look over and peruse all the evidence that was taken on both sides; and that then they would all attend him such a morning, which he appointed upon their consent, at his own house at Westminster: that they came at the time appointed, and, being then shut up in a room together, he asked them whether they had sufficiently perused all the books, and were thoroughly informed of his case? To which they all answered that they had not only read them all over together, but had severally, every man by himself, perused [them] again, and they believed they were all well informed of the whole. That he then told them, he had desired this conference with them not only as his counsel by whose opinion he meant to govern himself, but as his particular friends, who, he was sure, would give him their best advice, and persuade him to do every thing as they would do themselves if they were in his condition. That he was now offered to make his peace at Court, by such an humble submission to the King as he was most inclined and ready to make, and which he would make the next day after his cause was heard, though he should be declared to be innocent, of which he could make no doubt: but that which troubled him for the present was, that the infamousness of the charge against him, which had been often exposed and enlarged upon in several motions, had been so much taken notice of through the kingdom that it could not consist with his honour to divert the hearing, which would be imputed to his want of confidence in his innocence, since men did not suspect his courage if he durst rely upon the other; but that he was resolved, as he said before, the next day after he should be vindicated from those odious aspersions, he would cast himself at the King's feet, with all the humility and submission which the most guilty man could make profession of. It was in this point he desired their advice, to which he would, without

adhering to his own inclination, entirely conform himself; 1641
and therefore desired them, singly in order, to give him their advice.' He repeated the several and distinct discourse every man had made, in which he was so punctual that he applied those phrases and expressions and manner of speech to the several men which they were all taken notice of frequently to use; as many men have some peculiar words in discourse, which they are most delighted with or by custom most addicted to: and in conclusion, that 'they were unanimous in their judgments, that he could not, with the preservation of his honour and the opinion of his integrity, decline the public hearing; where he must be unquestionably declared innocent, there being no crime or misdemeanour proved against him in such a manner as could make him liable to censure: they all commended his resolution of submitting to the King as soon as he had made his innocence to appear, and they all advised him to pursue that method. This,' he said, 'had swayed him; and made him decline the other expedient that had been proposed to him.'

132. This relation wrought upon those to whom it was made, to raise a prejudice in them against the justice of the cause, or the reputation of the counsel, as they were most inclined; whereas there was not indeed the least shadow of truth in the whole relation, except that there was such a meeting and conference as was mentioned, and which had been consented to by the bishop upon the joint desire and importunity of all the counsel; who at that conference unanimously advised and desired him, 'to use all the means and friends he could that the cause might not be brought to hearing; but that he should purchase his peace at any price, for that, if it were heard, he would be sentenced very grievously, and that there were many things proved against him which would so much reflect upon his honour and reputation, and the more for being a bishop, that all his friends would abandon him, and be ever after ashamed to appear on his behalf.' Which advice, with great passion and reproaches upon the several persons for their presumption and ignorance in matters so much above them, he utterly and scornfully rejected. Nor indeed was it possible at

1641 that time for him to have made his peace: for though upon some former addresses and importunity on his behalf by some persons of power and place in the Court, in which the Queen herself had endeavoured to have done him good offices, the King was inclined to have saved him, being a bishop, from the infamy he must undergo by a public trial, yet the bishop's vanity had, in those conjunctures, so far transported him that he had done all he could to have it insinuated that the Court was ashamed of what they had done, and had prevailed with some of his powerful friends to persuade him to that composition: upon which the King would never hear more any person who moved on his behalf.

133. It had been once mentioned to him, whether by authority or no was not known, that his peace should be made if he would resign his bishopric and deanery of Westminster, (for he held that *in commendam*,) and take a good bishopric in Ireland; which he positively refused, and said, 'he had much to do to defend himself against the archbishop here: but if he were in Ireland, there was a man' (meaning the earl of Strafford) 'who would cut off his head within one month.'

134. This bishop had been for some years in the Tower, by the sentence of the Star-Chamber, before this Parliament met, when the lords who were the most active and powerful presently resolved to have him at liberty. Some had much kindness for him, not only as a known enemy to the archbishop of Canterbury, but as a supporter of those opinions and those persons which were against the Church itself. And he was no sooner at liberty and brought in [to] the House, but he defended and seconded the lord Say when he made an invective, with all the malice and bitterness imaginable, against the archbishop, then in prison; and when he had concluded, that bishop said that 'he had long known that noble lord, and had always believed him to be as well affected to the Church as himself;' and so he continued to make all his address to that lord and those of the same party. Being now in full liberty, and in some credit and reputation, he applied himself to the King, and made all possible professions of duty to his majesty and zeal to the

Church, protesting to have a perfect detestation of those 1641
persons who appeared to have no affection or duty towards his majesty and all evil intentions against the religion established; and that the civilities he had expressed towards them was only out of gratitude for the good-will they had shewed to him, and especially that he might the better promote his majesty's service. And it being his turn shortly after, as dean of Westminster, to preach before the King, he took occasion to speak of the factions in religion; and mentioning the Presbyterian, he said, 'it was a government only fit for tailors and shoemakers and the like, and not for noblemen and gentlemen:' which gave great scandal and offence to his great patrons; to whom he easily reconciled himself, by making them as merry with some sharp sayings of the Court, and by performing more substantial offices for them.

135. When upon the trial of the earl of Strafford it was resolved to decline the judgment of the House, and to proceed by bill of attainder; and thereupon it was very unreasonably moved, 'that the bishops might have no vote in the passing that Act of Parliament,' because they pretended it was to have their hand in blood, which was against an old canon; this bishop, without communicating with any of his brethren, very frankly declared his opinion, 'that they ought not to be present,' and offered, not only in his own name but for the rest of the bishops, to withdraw always when that business was entered upon: and so betrayed a fundamental right of the whole order, to the great prejudice of the King, and to the taking away the life of that person who could not otherwise have suffered.

136. And shortly after, when the King declared that he neither would, nor could in conscience, give his royal assent to that Act of attainder; when the tumults came about the Court with noise and clamour for justice, the lord Say desired the King to confer with his bishops for the satisfaction of his conscience, and desired him to speak with that bishop in the point. After much discourse together, and the King insisting upon many particulars which might induce others to consent

1641 to [it], but were known to himself to be false, and therefore he could never in conscience give his own consent to it, the bishop, amongst other arguments, told him that 'he must consider, that, as he had a private capacity and a public, so he had a public conscience as well as a private; that though his private conscience, as a man, would not permit him to do an act contrary to his own understanding, judgment, and conscience, yet his public conscience, as a king, which obliged him to do all things for the good of his people, and to preserve his kingdom in peace for himself and his [posterity[1]], would not only permit him to do that but even oblige and require him. That he saw in what commotion the people were; that his own life, and that of the Queen and the royal issue, might probably be sacrificed to that fury; and it would be very strange if his conscience should prefer the life of one single private person, how innocent soever, before all those other lives and the preservation of the kingdom.'

137. This was the argumentation of that unhappy casuist, who truly, it may be, did believe himself; for towards the end of the war, and when the King's power declined, he, being then an archbishop, took a commission from the rebels to take a castle of the King's, in which there was a garrison, and which he did take by a long siege[2]; because he might thereby, and by being himself governor there, the better enjoy the profits of his own estate which lay thereabouts.

138. Notwithstanding all these great services he had performed for them, he grew every day more imperious; and after
Dec. 4. the King thought it necessary to make him archbishop of York, (which, as the time then was, could not qualify him to do more harm, and might possibly dispose and oblige him to do more good) he carried himself so insolently, in the House and out of the House, to all persons, that he became much more odious

[1] ['prosperity,' MS.]

[2] [Conway. In Bodl. MS. Tanner lix, there is a letter from Col. Thos. Mytton to Parliament, dated 10 Nov. 1646, desiring that Williams may be permitted to enjoy quietly the remainder of his estate on account of his 'reall and continued assistance' in the reduction of Conway castle. He was wounded in the attack.]

universally than ever the other archbishop had been; having 1641
sure more enemies than he, and no friends, of which the other had abundance. And the great hatred of this man's person and behaviour was the greatest invitation to the House of Commons so irregularly to receive that bill to remove the bishops, and was their only encouragement to hope that the Lords, who had rejected the former, would now pass and consent to this second bill.

139. This was one of the bishops who was most rudely treated by the rabble who gathered themselves together about the House of Peers, crying out, '*No bishops, no bishops,*' and whose person was assaulted and robes torn from his back; Dec. 27.
upon which, in very just displeasure, he returned to his house, the deanery at Westminster, and sent for all the bishops who were then in the town, (it being within very few days of Christmas,) of which there were twelve or thirteen; and, in much passion, and with his natural indignation, he proposed, as absolutely necessary, 'that they might unanimously and presently prepare a protestation to send to the House upon the force that was used upon them, and against all the acts which were or should be done during the time that they should by force be kept from doing their duties in the House.' And immediately, having pen and ink ready, himself prepared a protestation; which being read to them, they all approved; depending upon his great experience in the rules of the House, where he had sat so many years, and in some parliaments in the place of Speaker, whilst he was Keeper of the Great Seal, and so presuming that he could commit no error in matter or form: and without further communication and advice, which both the importance of the subject and the distemper of the time did require, and that it might have been considered as well what was fit as what was right; without further delay than what was necessary for the fair writing and engrossing the instrument they had prepared; they all set their hands to it. And then the archbishop went to Whitehall to the Dec. 30.
King, and presented the protestation to him, it being directed to his majesty, with an humble desire that he would send it

1641 to the House of Peers, since they could not present it themselves, and that he would command that it should be entered in the Journal of the House. And his majesty, casting his eye perfunctorily upon it and believing it had been drawn by mature advice, no sooner received it than he did deliver it to the Lord Keeper, who unfortunately happened to be likewise present, with his command that he should deliver it to the House as soon as it met; which was to be within two hours after. Which petition contained these words:—

140[1]. '*To the King's most excellent majesty, and the Lords and Peers now assembled in Parliament:*

'The humble petition and protestation of all the bishops and prelates now called by his majesty's writs to attend the Parliament, and present about London and Westminster for that service.

'That, whereas the petitioners are called up by several and respective writs, and under great penalties, to attend in Parliament, and have a clear and indubitate right to vote in bills and other matters whatsoever debateable in Parliament, by the ancient customs, laws, and statutes of this realm, and ought to be protected by your majesty quietly to attend and prosecute that great service:

'They humbly remonstrate, and protest before God, your majesty, and the noble Lords and Peers now assembled in Parliament, that, as they have an indubitate right to sit and vote in the House of Lords, so are they (if they may be protected from force and violence) most ready and willing to perform their duties accordingly; and that they do abominate all actions or opinions tending to Popery and the maintenance thereof, as also all propension and inclination to any malignant party, or any other side or party whatsoever to the which their own reasons and consciences shall not move them to adhere.

'But whereas they have been at several times violently menaced, affronted, and assaulted, by multitudes of people, in their coming to perform their services in that honourable House, and lately chased away, and put in danger of their lives, and can find no redress or protection upon sundry complaints made to both Houses in these particulars:

'They likewise humbly protest before your majesty and the noble House of Peers, that, saving to themselves all their rights and interests of sitting and voting in that House at other times, they dare not sit or vote in the House of Peers until your majesty shall further secure them from all affronts, indignities, and dangers in the premises.

'Lastly, whereas their fears are not built upon fantasies and conceits, but upon such grounds and objects as may well terrify men of good resolutions and much constancy, they do in all duty and humility protest,

[1] [The petition is taken from the *Hist.*, p. 100.]

before your majesty and the Peers of that most honourable House of Parliament, against all laws, orders, votes, resolutions, and determinations, as in themselves null and of none effect, which in their absence, since the seven and twentieth of this instant month of December, 1641, have already passed; as likewise against all such as shall hereafter pass in that most honourable House during the time of this their forced and violent absence from their said most honourable House; not denying but if their absenting themselves were wilful and voluntary that most honourable House might proceed in all these premises, their absence or this their protestation notwithstanding. 1641

'And humbly beseeching your most excellent majesty to command the clerk of that House of Peers to enter this their petition and protestation amongst his records,

'They will ever pray, &c.'

Signed,

Jo. Eborac.	*Jo. Asaphen.*	*Ma. Ely.*
Tho. Duresme.	*Guill. Ba. & Wells.*	*Godfr. Glouc.*
Rob. Co. Lich.	*Geo. Hereford.*	*Jo. Peterburgh.*
Jo. Norwitch.	*Rob. Oxon.*	*Mor. Llandaffe.*

141[1]. It was great pity that, though the archbishop's passion transported him, as it usually did, and his authority imposed upon the rest, who had no affection to his person or reverence for his wisdom, his majesty did not take a little time to consider of it, before he put it out of his power to alter it by putting it out of his hands. For it might easily have been discerned by those who were well acquainted with the humour as well as the temper of both Houses, that some advantage and ill use would have been made of some expressions contained in it, and that it could produce no good effect. But the same motive and apprehension that had precipitated the bishops to so hasty a resolution, (which was, that the House of Peers would have made that use of the bishops being kept from the House that they would in that time have passed the bill itself for taking away their votes,) had its effect likewise with the King, who had the same imagination, and therefore would lose no time in the transmission of it to the House; whereas the Lords would never have made use of that very season, whilst the tumults still continued, for the passing an Act of that importance; and the scandal, if not invalidity, of it would

[1] [§§ 141–2 and 146–8 from the *Life*, pp. 139–41.]

1641 have been an unanswerable ground for the King to have refused his royal assent to it.

142. As soon as the protestation, (which, no doubt, in the time before the House was to meet, had been communicated to those who were prepared to speak upon it,) was delivered to the Lord Keeper, with his majesty's command, and read, the governing lords manifested a great satisfaction in it; some of them saying, 'that there was *digitus Dei* to bring that to pass which they could not otherwise have compassed;' and without ever declaring any judgment or opinion of their own upon it, which they ought to have done, the matter only having relation to themselves and concerning their own members, they sent to desire a conference presently with the House of Commons, upon a business of importance; and, at the conference, only read and delivered the protestation of the bishops to them, which the Lord Keeper told them he had received from the King's own hand with a command to present it to the House. The House of Commons took very little time to consider of the matter, but, within half an hour, they sent up to the Lords, and, without further examination, accused them all who had subscribed the protestation of high treason[1]; and, by this means, they were all, the whole twelve of them, committed to prison, and remained in the Tower till the bill for the putting them out of the House was passed, which was not till many months after.

143[2]. When the passion, rage, and fury of this time shall be forgotten, and posterity shall find amongst the records of the supreme court of judicature so many orders and resolutions in vindication of the liberty of the subject, against the imprison-

[1] [The following lines are here struck out in the MS.:—
'There were very few members present in the House of Commons when that debate [occurred]; and one of them said he could not possibly imagine where the treason was in the protestation, but he saw so much folly and madness in it that he thought it fit to send to the Lords that they might be all sent to Bedlam; but the same argument of *digitus Dei* prevailed, and so with much mirth it was voted that they should be all accused of high treason, which was done accordingly.']

[2] [§§ 143–5 from the *Hist.*, p. 101.]

ing of any man, though by the King himself, without assigning 1641
such a crime as the law hath determined to be worthy of imprisonment; and in the same year by this high court shall find twelve bishops, members of this court, committed to prison for high treason for the presenting this protestation; men will surely wonder at the spirit of that reformation, and even that clause of declaring all acts null which had been, or should be, done in their absence, in defence of which no man then durst open his mouth, will be thought both good law and good logic. Not that the presence of the bishops in that time was so essential that no Act could pass without them; (which had given them a voice, upon the matter, as negative as the King's, and themselves, in their instrument, disclaimed the least pretence to such a qualification;) but because a violence offered to the freedom of any one member is a violation to all the rest: as, if a council consist of threescore, and the door to that council be kept by armed men, and all such whose opinions are not liked kept out by force, no doubt the freedom of those within is infringed, and all their acts as void and null as if they were locked in and kept without meat till they altered their judgments.

144. And therefore you shall find in the Journals of the most sober Parliaments that, upon any eminent breach of their privileges, as always upon the commitment of any member for any thing said or done in the House, sometimes upon less occasions, that House which apprehended the trespass would sit mute, without debating or handling any business, and then adjourn[1]; and this hath been practised many days together, till they had redress or reparation. And their reason was, because their body was lame, and what was befallen one member threatened the rest; and the consequence of one act might extend itself to many other which were not in view; and this made their privileges of so tender and nice a temper that they were not to be touched, or in the least degree trenched upon; and therefore,

[1] [*E. g.* 10 Feb. 1607, on arrest of two members for debt; and 4 Dec. 1621, on receipt of a letter from the King forbidding discussion of the proposed Spanish match.]

1641 that in so apparent an act of violence,—when it is not more clear that they were committed to prison than that they durst not then sit in the House, and when it was lawful for every dissenter in the most trivial debate to enter his protestation against that sense he liked not, though he were single in his opinion—that it should not be lawful for those who could not enter it themselves to present this protestation to the King, to whom they were accountable under a penalty for their absence, and unlawful to that degree that it should render them culpable of high treason, and so forfeit their honours, their lives, their fortunes, expose their names to perpetual infamy, and their wives and children to penury and want of bread, will be looked upon as a determination of that injustice, impiety, and horror as could not be believed without those deep marks and prints of confusion that followed and attended that resolution.

145. And yet the indiscretion of those bishops, (swayed by the pride and insolence of that anti-prelatical archbishop,) in applying that remedy at a time when they saw all forms and rules of judgment impetuously declined, and the power of their adversaries so great that the laws themselves submitted to their oppression; that they should, in such a storm, when the best pilot was at his prayers and the card and compass lost, without the advice of one mariner, put themselves in such a cockboat and so be severed from their good ship, gave that scandal and offence to all those who passionately desired to preserve their function that they had no compassion or regard of their persons or what became of them; insomuch as in the whole debate in the House of Commons there was only one gentleman who spake on their behalfs, and said, 'he did not believe they were guilty of high treason, but that they were stark mad; and therefore desired they might be sent to Bedlam.'

146. This high and extravagant way of proceeding brought no prejudice to the King, and though it made their tribunal more terrible to men who laboured under any guilt, yet it exceedingly lessened the reverence and veneration that generally

was entertained for parliaments: and this last accusation and commitment of so many bishops at once was looked upon by all sober men with indignation. For whatever indiscretion might be in the thing itself, though some expressions in the matter might be unskilful and unwarrantable, and the form of presenting and transmitting it irregular and unjustifiable, (for all which the House of Peers might punish their own members according to their discretion,) yet every man knew there could be no treason in it; and therefore the end of their commitment, and the use all men saw would be made of it, made it the more odious; and the members who were absent from both Houses, which were three parts of four, (and many of those who had been present abhorred the proceedings,) attended the Houses more diligently; so that the angry party, who were no more treated with to abate their fury, would have been compelled to have given over all their designs for the alteration of the government both in Church and State if the volatile and unquiet spirit of the lord Digby had not prevailed with the King, contrary to his resolution, to have given them some advantage, and to depart from his purpose of doing nothing. 1641

147. Though sir William Balfore, who is mentioned before[1], had, from the beginning of this Parliament, (according to the natural custom of his country,) forgot all his obligations to the King, and had made himself very gracious to those people whose glory it was to be thought enemies to the Court, and whilst the earl of Strafford was his prisoner did many offices not becoming the trust he had from the King, and administered much of the jealousy which they had of his majesty; upon which there had been a long resolution to remove him from that charge, but to do it with his own consent, that there might be no manifestation of displeasure; yet it was a very

[1] [See §§ 101, 102. The following lines are here struck out in the MS.:—
'a Scotchman [who] had been many years lieutenant of the Tower of London, which had raised great murmur and repining in the whole English nation, which, as it had an unreasonable aversion to all that people, thought it a great reproach that so eminent a command should be conferred upon a stranger, which the whole city of London took most to heart.']

1641 unseasonable conjuncture which was taken to execute it in[1]. And this whole transaction was so secretly carried that there was neither notice or suspicion of it till it was heard that sir Dec. 24 Thomas Lunsford was sworn lieutenant of the Tower, a man, though of an ancient family in Sussex, of a very small and decayed fortune, and of no good education, having been few years before compelled to fly the kingdom to avoid the hand of justice for some riotous misdemeanours; by reason whereof he spent some time in the service of the King of France, where he got the reputation of a man of courage and a good officer of foot; and in the beginning of the troubles here had some command in the King's army, but so much inferior to many others, and was so little known, except upon the disadvantage of an ill character, that in the most dutiful time the promotion would have appeared very ingrateful. He was utterly a stranger to the King, and therefore it was quickly understood to procced from the single election of the lord Digby, to whom he was likewise very little known; who had in truth designed that office to his brother sir Lewis Dyves, against whom there could have been no exception but his relation: but he being not at that time in town, and the other having some secret reason (which was not a good one) to fill that place in the instant with a man who might be trusted, he suddenly resolved upon this gentleman, as one who would be faithful to him for the obligation and execute any thing he should desire or direct, which was a reason he might easily have foreseen would provoke more powerful opposition[2]; which error, as is said before,

[1] [These words are here struck out in the MS.:—
'paying him such a considerable sum of money as well pleased him.']

[2] [The following passage is here struck out in the MS.:—
'And the thing was no sooner known than the House of Commons looked upon it as a new plot and in order to some design upon the public peace; and they were quickly inflamed by an address from the city of London to both Houses of Parliament, expressing their great apprehensions of danger to themselves, enlarging upon the vices and manners of the man, of whom and the barbarity of his nature they made very many ridiculous stories. However, so much credit was given to their monstrous jealousies that the two Houses of Parliament joined with them in their address to the King that another person might be put into that office, and they pursued it with so

was repaired by the sudden change, and putting in sir John Byron; though it gave little satisfaction, and the less by reason of another more inconvenient action, which changed the whole face of affairs and caused this to be the more reflected upon. 1642

148. In the afternoon of a day when the two Houses sat, Harbert, the King's Attorney, informed the House of Peers that he had somewhat to say to them from the King; and thereupon, having a paper in his hand, he said that the King commanded him to accuse the lord Kimbolton, a member of that House, and five gentlemen who were all members of the House of Commons, of high treason, and that his majesty had himself delivered him in writing several articles upon which he accused them; and thereupon he read in a paper the ensuing articles, by which the lord Mandevill, Denzil Hollis, sir Arthur Haslerigg, Mr. Pimm, Mr. Hambden, and Mr. Strowde, stood accused of high treason for conspiring against the King and the Parliament. Jan. 3.

149[1]. *Articles of high treason, and other misdemeanours, against the lord Kimbolton, Mr. Pymm, John Hampden, Denzil Hollis, sir Arthur Haslerigg, and William Strode, members of the House of Commons.*

1. 'That they have traitorously endeavoured to subvert the fundamental laws and government of this kingdom, and deprive the King of his regal power, and to place on his subjects an arbitrary and tyrannical power.

much earnestness, as a matter in which the public peace was concerned, that the King was persuaded within three or four days to remove Lunsford from the Tower, and at the same time admitted Sir John Byron into that office, a gentleman of a very good family, a fair fortune, and an excellent reputation with the best men, so that the King had no reason to imagine that there would have been any exception taken against him; but it proved otherwise, as shall be remembered anon, there falling out at the same time another more inconvenient action, which changed,' &c. *as above.*]

[1] [§§ 149–153 from the *Hist.*, pp. 102–3. In this MS. (pp. 101–2) the subjoined passages precede the articles of treason, following on § 145:—

1. 'Matters being thus carried in both Houses, and in the soul of both Houses, the city and suburbs, the King found himself in a very sad condition, and discerned plainly how the affections of the country would be governed. In the House of Commons the ministers of confusion carried all before them, there being very few who either considered his rights with justice or his person with reverence whose faces were known to him, or who had any other obligation but of allegiance. In the House of Peers he saw

1642 2. 'That they have endeavoured by many foul aspersions upon his majesty and his government to alienate the affections of his people, and to make his majesty odious unto them.

twelve swept away in an instant upon whose duty and loyalty he might have relied, and by a rule that might quickly dispose of the rest; for if the House of Peers would imprison all whom the House of Commons would accuse of high treason, he had now reason enough to believe they would accuse as many as they were angry with or as were angry with them. He saw the power that first drove the bishops from the House, and after kept them from thence, would by degrees make those that stayed consent to whatsoever they desired. He knew the licence their chief leaders and directors assumed in their private cabals to vilify and contemn his person, and how they countenanced the most infamous scandals that could be laid on him; that they endeavoured to make it believed that he contributed to and assisted the rebellion in Ireland, (which was justly the most odious imputation that any man could be charged with,) and to that purpose suffered letters and other discourses from mean persons, (if not fictitious,) that the rebels in Ireland called themselves the Queen's army, and pretended the King's authority for what they did, to be printed and published in the Journal of both Houses[1], which could not but make great impression in the people, together with that odious Remonstrance they had with such industry dispersed throughout the kingdom; so that many were heard to say in those tumults that the King was the traitor, and others that the young Prince would govern better; and in the greatest height and fury of them the lord Kimbolton was heard (at least his majesty was so informed) to bid them go to Whitehall. In this unparalleled distraction, the Court, and those whom he had most notoriously obliged, seemed neither concerned in his honour or safety. The earl of Northumberland, whom he had made Lord High Admiral of England, and upon whom in few years he had bestowed a greater treasure of his favours than upon any man alive, and without the least interruption or pause, was now a declared champion for the most violent, and totally estranged himself from the Court. The earl of Holland, whom but four months before he looked upon as his own creature, as he had good reason to account himself from the beginning, joined himself close to and concurred with those councils which with the greatest bitterness were held against him; and, having published whatsoever he had under trust drawn from men in the army to the King's disadvantage, he disclosed whatsoever he knew of his master's councils or thought of his nature and disposition. The earl of Essex, whom he had lately made a Councillor and Chamberlain of his house, was not the more his servant, but continued in those popular paths he had always walked in, much the less inclined to the King by the infusions the earl of Holland every day instilled to him. The earl of Leicester, who was the last man

[1] [See the letter printed in the note to § 204 *infra*, which speaks of the 'design of Ireland' as holding well, and says that 'the woman is true to us,' but there is no mention there of the rebels calling themselves 'the Queen's army.' The letter is also noticed at p. 459, note 2.]

3. 'That they have endeavoured to draw his majesty's late army to disobedience to his majesty's command, and to side with them in their traitorous design. 1642

4. 'That they have traitorously invited and encouraged a foreign power to invade his majesty's kingdom of England.

5. 'That they have traitorously endeavoured to subvert the very rights and beings[1] of parliaments.

6. 'That, for the completing of their traitorous designs, they have endeavoured, as far as in them lay, by force and terror to compel the Parliament to join with them in their traitorous designs, and to that end have actually raised and countenanced tumults against the King and Parliament.

7. 'That they have traitorously conspired to levy, and actually have levied, war against the King.'

he had obliged, and obliged to the most envious degree, making him Lieutenant of Ireland, was at least so conversant with them that they took him to be of their faction cordially. And lastly, which it may be made all the rest the worse, the countess of Carlisle, who was most obliged and trusted by the Queen, and had been for her eminent and constant affection to the earl of Strafford admitted to all the consultations which were for his preservation, and privy to all the resentments had been on his behalf, and so could not but remember many sharp sayings uttered in that time, was become a confidant in those councils, and discovered whatsoever she had been trusted with. So that he had very few fit to give him counsel, and none that would avow it; the Council-table being only a snare and a trap to discover who durst think himself wise enough to preserve the public.

2. 'In this restraint the King, considering rather what was just than what was expedient, without communicating it to any of his Council, and so not sufficiently weighing the circumstances and way of doing it as well as the matter itself, resolved not to be stripped of all his own servants, and such as faithfully adhered to him, upon general accusations of treason, the greatest of which was their being dutiful to him against whom only treason could be committed, but that he would accuse those who he well knew, and believed he could prove, to be guilty of all the treason had been acted or imagined; and so on the third day of January, about two of the clock in the afternoon, he sent for sir Edward Harbert, his Attorney General, and delivered a paper to him in writing which contained a charge against those he meant to accuse, and commanded him forthwith to go to the House, and in his name to accuse those persons to the House of Peers of high treason. The Attorney accordingly went, and, standing up, told their lordships, that he did, in his majesty's name and by his especial command, accuse the lord Kimbolton, a member of that House, Mr. Pim, Mr. Denzil Hollis, Mr. John Hambden, Mr. William Strowde, and sir Arthur Haslerigge, of high treason and other misdemeanours, [in][2] seven articles, which he read in these words, and then delivered them to the clerk, and desired the persons might be committed.']

[1] ['rights and very being;' *Lords' Journals.*]

[2] ['and,' MS.]

1642 150. The House of Peers was somewhat appalled at this alarum, but took time to consider of it till the next day, that they might see how their masters the Commons would behave themselves; the lord Kimbolton being present in the House and making great professions of his innocence, and no lord being so hardy [as] to press for his commitment on the behalf of the King.

151. At the same time, a sergeant at arms demanded to be heard at the House of Commons from the King, and, being sent for to the bar, demanded the persons of the five members to be delivered to him in his majesty's name, his majesty having accused them of high treason. But the Commons were not so much surprised with the accident; for, besides that they quickly knew what had passed with the Lords, some servants of the King's, by special warrant, had visited the lodgings of some of the accused members, and sealed up their studies and trunks; upon information whereof, before the sergeant came to the House, or public notice was taken of the accusation, an order was made by the Commons, 'That if any person whatsoever should come to the lodgings of any member of that House; and there offer to seal the doors, trunks, or papers, of such member, or to seize upon their persons, that then such member should require the aid of the next constable, to keep such persons in safe custody till the House should give further order: that if any person whatsoever should offer to arrest or detain any member of that House, without first acquainting that House therewith and receiving further order from thence, that it should be lawful for such member to stand upon his guard and make resistance, and [for] any person to assist him, according to the protestation taken to defend the privileges of Parliament.' And so, when the sergeant had delivered his message, he was no more called in, but a message sent to the King 'that the members should be forthcoming as soon as a legal charge should be preferred against them;' and so the House adjourned till the next day, every one of the accused persons taking a copy of that order which was made for their security.

Jan. 4 152. The next day in the afternoon, the King, attended only by his own guard, and some few gentlemen who put themselves

into their company in the way, came to the House of Commons, and, commanding all his attendants to wait at the door and to give offence to no man, himself, with his nephew, the Prince Elector, went into the House, to the great amazement of all; and the Speaker leaving the chair, the King went into it, and told the House, 'He was sorry for that occasion of coming to them; that yesterday he had sent a sergeant at arms to apprehend some that by his command were accused of high treason, whereunto he expected obedience, but instead thereof he had received a message.' He declared to them that 'no King of England had been ever, or should be, more careful to maintain their privileges than he would be; but that in cases of treason no man had privilege; and therefore he came to see if any of those persons whom he had accused were there; for he was resolved to have them, wheresoever he should find them.' And looking then about, and asking the Speaker whether they were in the House, and he making no answer, he said, 'he perceived the birds were all flown, but expected they should be sent to him as soon as they returned thither;' and assured them, in the word of a king, that he never intended any force but would proceed against them in a fair and a legal way; and so returned to Whitehall; the accused persons, upon information and intelligence what his majesty intended to do, how secretly soever it was carried at Court, having withdrawn from the House about half an hour before the King came thither. 1642

153. The House, in great disorder, as soon as the King was gone adjourned till the next day in the afternoon; the Lords being in so great apprehension upon notice of the King's being at the House of Commons that the earl of Essex expressed a tender sense he had of the inconveniences which were like to ensue those divisions, and moved, 'that the House of Peers, as a work very proper for them, would interpose between the King and his people, and mediate to his majesty on the behalf of the persons accused;' for which he was reprehended by his friends, and afterwards laughed at himself when he found how much a stronger defence they had than the best mediation could prove on their behalf.

1642 154[1]. How secretly soever this affair was carried, it was evident that the coming of the King to the House was discovered, by the members withdrawing themselves, and by a composedness which appeared in the countenances of many who used to be disturbed at less surprising occurrences; and though the purpose of accusing the members was only consulted between the King and the lord Digby, yet it was generally believed that the King's purpose of going to the House was communicated with William Murry, of the bed-chamber, with whom the lord Digby had great friendship, and that it was betrayed by him. And that lord who had promised the King to move the House for the commitment of the lord Kimbolton as soon as the Attorney General should have accused him, (which if he had done would probably have raised a very hot dispute in the House, where many would have joined with him,) never spake the least word, but, on the contrary, seemed the most surprised and perplexed with the Attorney's impeachment; and sitting at that time next to the lord Mandevill, with whom he pretended to live with much friendship, he whispered him in the ear with some commotion, (as he had a rare talent in dissimulation,) 'that the King was very mischievously advised, and that it should go very hard but he would know whence that counsel proceeded; in order to which, and to prevent further mischieve, he would go immediately to his majesty,' and so went out of the House; whereas he was the only person who gave the counsel, named the persons, and particularly named the lord Mandevill (against whom less could be said than against many others, and who was more generally beloved,) and undertook to prove that he bade the rabble, when they were about the Parliament House, that they should go to Whitehall.

155. And when he found the ill success of the impeachment in both Houses, and how unsatisfied all were with the proceeding, he advised the King the next morning to go to the Guildhall and to inform the mayor and aldermen of the grounds of his proceeding; which will be mentioned anon. And, that people

[1] [§§ 154–155, 158–166, from the *Life*, pp. 141–4.]

might not believe that there was any dejection of mind or 1642
sorrow for what was done, the same night the same counsel caused a proclamation to be prepared for the stopping the ports, that the accused persons might not escape out of the kingdom, and to forbid all persons to receive and harbour them: when it was well known that they were altogether in a house in the city, without any fear of their security. And all this was done without the least communication with any body but the lord Digby, who advised it, and, it is very true, was so willing to take the utmost hazard upon himself, that he did offer the King, when he knew in what house they were together, with a select company of gentlemen who would accompany him, whereof sir Thomas Lunsford was one, to seize upon them, and bring them away alive or leave them dead in the place: but the King liked not such enterprises.

156[1]. That night the persons accused removed themselves into their strong hold, the city: not that they durst not venture themselves at their old lodgings, for no man would have presumed to trouble them, but that the city might see that they relied upon that place for a sanctuary of their privileges against violence and oppression, and so might put on an early concernment for them. And they were not disappointed; for, in spite of all the lord mayor could do to compose their distempers, (who like a very wise and stout magistrate bestirred himself,) the city was that whole night in arms; some people, designed to that purpose, running from one gate to another, and crying out that 'the *Cavaliers* were coming to fire the city;' and some saying that 'the King himself was in the head of them.'

157. The next morning, the King, being informed of much Jan. 5.
that had passed that night, according to the advice he had received, sent to the lord mayor to call a Common Council immediately; and about ten of the clock, himself, attended only by three or four lords, went to the Guildhall, and in the room where the people were assembled told them, 'he was very sorry to hear of the apprehensions they had entertained of danger; that

[1] [§§ 156–7 from the *Hist.*, pp. 103–4.]

1642 he was come to them to shew how much he relied upon their affections for his security and guard, having brought no other with him; that he had accused certain men of high treason, against whom he would proceed in a legal way, and therefore he presumed they would not shelter them in the city.' And using many other very gracious expressions of his value of them, and telling one of the shrieves, (who was of the two thought less inclined to his service,) that he would dine with him, he departed, without that applause and cheerfulness which he might have expected from the extraordinary grace he vouchsafed to them, and, in his passage through the city, the rude people flocking together, and crying out, '*Privilege of parliament, privilege of parliament*,' some of them pressing very near his own coach, and amongst the rest one calling out with a very loud voice, '*To your tents, O Israel*[1].' However, the King, though much mortified, continued his resolution, taking little notice of the distempers; and, having dined at the shrief's, returned in the afternoon to Whitehall; and pub-

Jan. 6. lished, the next day, a proclamation for the apprehension of all those whom he accused of high treason, forbidding any person to harbour them; the articles of their charge being likewise printed and dispersed.

Jan. 5. 158. When the House of Commons next met, none of the accused members appearing, they had friends enough, who [were] well enough instructed, to aggravate the late proceedings and to put the House into a thousand jealousies and apprehensions; and every slight circumstance carried weight enough in it to disturb their minds. They took very little notice of the accusing the members; but the King's coming to the House, which had been never known before, and declaring that 'he would take them where he found them,' was an

[1] [A few lines struck out in the *Life*, relating to this incident, say that the King's visit to the city was 'to his great mortification, finding the people, as he passed in the streets, so much incensed that they forbore not to speak very rudely and irreverently in his own hearing. One fellow, after some unmannerly expressions at the back of his coach, where many people were gathered together, cried with a very loud and seditious behaviour, *To your tents, O Israel.*']

evidence that he meant himself to have brought a force into the House to apprehend them, if they had been there, [and] was looked upon as the highest breach of privilege that could possibly be imagined. They who spake most passionately, and probably meant as maliciously, behaved themselves with modesty, and seemed only concerned in what concerned them all; and concluded, after many lamentations, 'that they did not think themselves safe in that House till the minds of men were better composed; that the city was full of apprehensions, and was very zealous for their security;' and therefore wished that they might adjourn the Parliament to meet in some place in the city. But that was found not practicable, since it was not in their own power to do it without the consent of the Peers and the concurrence of the King, who were both like rather to choose a place more distant from the city. And, with more reason, in the end they concluded, 'that the House should adjourn itself for two or three days[1], and name a committee, which should sit both morning and afternoon in the city, and all who came to have voices:' and Merchant-Tailors' hall[2] was appointed for the place of their meeting; they who served for London undertaking that it should be ready against the next morning: no man opposing or contradicting any thing that was said; they who formerly used to appear for all the rights and authority which belonged to the King not knowing what to say, between[3] grief and anger that the violent party had by these late unskilful actions of the Court gotten great advantage and recovered new spirits: and the three persons before named, without whose privity the King had promised that he would enter upon no new counsel, were so much displeased and dejected that they were inclined never more to take upon them the care of any thing to be transacted in the House: finding already that they could not avoid being looked upon as the authors of those counsels to which they were so absolute strangers, and which they so perfectly detested. 1642

159. And, in truth, they had then withdrawn themselves from appearing often in the House, but upon the abstracted

[1] [To 11 Jan.] [2] [Guild-hall.] [3] ['and between,' MS.]

1642 consideration of their duty and conscience, and of the present ill condition the King was in; who likewise felt within himself the trouble and agony which usually attends generous and magnanimous minds, upon their having committed errors which expose them to censure and to damage. In fine, the House of Commons adjourned for some days, to consult with their friends in the city; and the House of Lords held so good correspondence with them that they likewise adjourned to the same days they knew, by some intelligence, they intended to meet again. But the Lords made no committee to sit in the city.

Jan. 6. 160. When the committee met next morning at Merchant-Tailors' hall, where all who came were to have voices, and whither all did come at first (out of curiosity to observe what method they meant to proceed in rather than expectation that they should be able to do any good there,) they found a guard ready to attend them of substantial citizens in arms, and a committee from the Common Council to bid them welcome into the city, and to assure them that 'the city would take care that they and all their members should be secured from violence; and to that purpose had appointed that guard to attend them, which should be always relieved twice a day, if they resolved to sit morning and afternoon;' and acquainted them further, that 'the Common Council, in contemplation that they might stand in want of any thing, had likewise appointed a committee of so many aldermen and such a number of the Common Council, which should always meet, at a place named, at those hours which that committee should appoint to meet at; to the end that, if any things were to be required of the city, they might still know their pleasure and take care that it should be obeyed.' And thus they had provided for such a mutual communication and confederacy that they might be sure always to be of one mind, and the one to help the other in the prosecution of those designs and expedients which they should find necessary to their common end: the committee of the city consisting of the most eminent persons, aldermen and others, for their disaffection to the government of Church and State.

161. At their first sitting, the committee began with the

stating the manner of the King's coming to the House, and all he did there; the several members mentioning all that they would take upon them to remember of his majesty's doing or speaking, both as he came to the House and after he was there; some of them being walking in Westminster Hall when the King walked through, and so came to the House with him or near him; others reporting what they had heard some of the gentlemen who attended his majesty say, as they passed by, every idle word having its commentary; and the persons, whoever were named, being appointed to attend; they having power given them to send for all persons and to examine them touching that affair. Nor had any man the courage to refuse to obey their summons; so that all those of the King's servants who were sent for appeared punctually at the hour that was assigned them, and were examined upon all questions which any one of the committee would propose to them, whereof many were very impertinent, and of little respect to the King.

1642 false

162. It was very well known where the accused persons were, all together in one house in Coleman street, near the place where the committee sat, and whither persons trusted passed to and fro to communicate and receive directions; but it was not time for them yet to appear in public and to come and sit with the committee, or to own the believing that they thought themselves safe from the violence and assaults of the Court, the power whereof they exceedingly contemned whilst they seemed to apprehend it: nor was it yet time to model in what manner their friends in the city and the country should appear concerned for them; in preparing whereof no time was lost.

163. Against the time the House was to meet, the first adjournment not being for above two or three days[1], the committee had prepared matter enough for a report; a relation of all they had discovered upon their examinations, and such votes as they thought fit to offer upon the breach of their privilege; that they might thereby discover the affections of the House,

[1] [The first adjournment was only on Tuesday, Jan. 4, to the next day at one o'clock.]

1642 of which they could not yet take any measure, since there had been no debate since those accidents which could discover the general temper; which they well enough knew was not before to their advantage. In the mean time they used all the ways they could to asperse those who used to oppose them, as the contrivers of the late proceedings, and were willing they should know it; which they imagined would restrain them from taking the same liberty they had used to do[1].

Jan. 5. 164. And so at their meeting in the House, upon the report of the committee, they declared[2], 'That the King's coming to the House, and demanding the persons of divers members thereof to be delivered unto him, was a high breach of the rights and privileges of Parliament, and inconsistent with the liberty and freedom thereof: and therefore that they could not with the safety of their own persons, or the indemnity of the rights and privileges of Parliament, sit there any longer without a full vindication of so high a breach, and a sufficient guard wherein they might confide;' and for that reason did order that their House should be again adjourned for four days, and that the committee should meet in the same place[3], 'to consider and resolve of all things that might concern the good and safety of the city and the kingdom, and particularly how their privileges might be vindicated and their persons secured; and should have power to consult and advise with any person or

[1] [The following lines have here been crossed out in the MS.:—'And some friends of Mr. Hyde, who loved him very well, told him under what reproach he lay, which was the greater by his known friendship with the lord Digby, and advised him so to carry himself in the debates which should arise upon this matter that it might evidently appear that he did not approve of it or was privy to it.']

[2] [The rest of this section is taken from the *Hist.*, p. 104, where it is introduced by the words, 'The House of Commons meeting according to the adjournment the day after the King's being there, would not enter upon the debate of any business, though the business of Ireland was very pressing, but declared ——.']

[3] [The words, 'and that —— place,' are substituted in the MS. for 'and in the mean time that a committee, to be named, should sit the next morning, and so continue in the Guild-hall in London.' The deleted words are very nearly the words used in the Declaration. This second adjournment was for six days, not four, to Jan. 11.]

persons touching the premises.' And this order and declaration being made, they adjourned; the last clause being intended to bring their members to them. 1642

165. At the meeting of the House, the committee had informed them, first, of the great civilities they had received from the city, in all the particulars, that they might have order to return the thanks of the whole House, which they easily obtained; and at their return they took more examinations than they had formerly taken, by which they made a fuller relation of the King's coming to the House and his carriage and words there. And because it was visible to all men that the King was so far from bringing any force with him, which they desired should be believed, that he had only his guard of halberdiers, and fewer of them than used to go with him upon any ordinary motion, and that fewer of his gentlemen servants were then with him than usually attended him when he went but to walk in the park, and had only their little swords; they were very punctual in mentioning any light or loose words which had fallen from any man, that it might be believed that there was more in the matter. As they carefully inserted in their relation that one of the waiters, as he walked very near his majesty through the Hall, said, '*He had a good pistol in his pocket*;' and that another, as they were walking up the stairs towards the House of Commons, called out, '*Fall on*;' from which they would have it believed that there had been very bloody intentions. Jan. 5. Jan. 7.

166. Then they offered some votes to be offered to the House, in which they voted the relation which was made to be true; and thereupon, 'that the King's coming to the House in that manner was the highest breach of the privilege of Parliament that could be made; and that the arresting, or endeavouring to arrest, any member of Parliament, was a high breach of their privilege, and that the person who was so arrested might lawfully rescue and redeem himself; and that all who were present, and saw the privilege of Parliament so violated, might and ought to assist the injured person in his defence and to procure his liberty with force.' And these votes the House Jan. 6.

1642 confirmed when they were reported: though, in the debate, it
Jan. 12. was told them [1], that 'they must take heed that they did not, out of tenderness of their privilege (which was and must be very precious to every man), extend it further than the law would suffer it to be extended: that the House had always been very severe upon the breach of any of their privileges, and in the vindicating those members who were injured; but that the disposing men to make themselves judges, and to rescue themselves or others, might be of evil consequence and produce ill effects; at least if it should fall out to be that the persons were arrested for treason, or felony, or breach of the peace, in either of which case[s] there could be no privilege of Parliament.' This, though a known truth to any who knew any thing of the law, was received with noise and clamour, and with wonderful evidence of dislike, and some faint contradictions, 'that no such thing ought to be done whilst a Parliament was sitting:' and then, falling upon the late action of the King and the merit of those persons, and without much other contradiction, which was found to be very ingrateful, the
Jan. 17. House confirmed all that the committee had voted; and then adjourned again for some days [2], and ordered the committee to meet again in the city; which they did morning and afternoon, and prepared other votes, of a brighter allay and more in the face of the King and the law, every day adding to the fury and fierceness of the precedent; and the House meeting and sitting only to confirm the votes which were passed by the committee [3]: and so, whilst the members yet kept themselves concealed, many particulars of great importance were transacted in those short sittings of the House.

167[4]. The King about this time, having found the incon-

[1] [The words, 'though —— told them,' are substituted in the MS. for, 'This caused some debate, and Mr. Hyde (notwithstanding the good advice that had been given to him) told them.']

[2] [From Jan. 17 to Jan. 20.]

[3] [The following words are here struck out in the MS.:—'and to prosecute such matters as were by consort brought to them by petition from the city, which was ready to advance any thing they were directed.']

[4] [§§ 167–190, except 183, are from the *Hist.*, pp. 104–8.]

venience and mischief to himself of having no servant of interest and reputation, and who took his business to heart, in the House of Commons, called the lord Falkland and sir John Culpeper, (both members of that House, and of unblemished reputations there and confessed abilities) of his Privy Council; and the one, the lord Falkland, his principal Secretary of State, and sir John Culpeper, Chancellor of the Exchequer; as is said before [1]. And so, having now gotten two counsellors about him who durst trust one another, and who were both fit to be trusted by him, which he had been without above a year past, to his and the kingdom's irreparable disadvantage, he thought fit to publish a Declaration to all his subjects, in answer to the Remonstrance he had lately received from the House of Commons and [which] was dispersed throughout the kingdom [2]. In which, (without the least sharpness or return of that language he had received,) he took notice of the 'fears and jealousies,' (for those were the new words which served to justify all indispositions and to excuse all disorders,) which made impression in the minds of his people with reference to their religion, their liberty, or their civil interests. 1642

168. 'For religion, he observed the fears to be of two sorts; either as ours here established might be invaded by the Romish party, or as it was accompanied with some ceremonies at which some tender consciences really were, or pretended to be, scandalized. For the first, as there might be any suspicion of favour or inclination to the Papists, he said he was willing to declare to all the world that, as he had been brought up from his childhood in, and practised, that religion which was established in the Church of England, so he believed he could (having given a good part of his time and pains to the examination of the grounds of it as it differed from that of

Denial of Popish sympathies

[1] [The words, 'of his Privy Council —— said before,' are substituted in the MS. for, 'to his Council-board, and declared the latter Chancellor of the Exchequer, in the place of the Lord Cottington, who had left the place and retired into the country, from the envy and malice that threatened him, six months before; and within few days after made the Lord Falkland his principal Secretary of State in the place of Sir Henry Vane, if Sir Edw. Nicholas, who was made Secretary about a month before, be understood to succeed Sir Francis Winnibank, both places being then void; and by their advice afterwards managed all his affairs which had reference to the Parliament.' See §§ 122–4.]

[2] [Clarendon tells us in his *Life*, that this Answer, published in the King's name, was written by himself.]

1642 Rome) maintain the same by unalterable[1] reasons, and hoped he should be ready to seal it by the effusion of his blood, if it should please God to call him to that sacrifice; and that nothing could be so acceptable to him as any proposition which might contribute to the advancement of it here, [or[2]] the propagation of it abroad, being the greatest[3] means to draw down a blessing from God upon himself and this nation; and if this profession of his was wanting to his people he thought himself extremely unfortunate, for that his constant practice in his own person had always been, without ostentation, as much to the evidence of his care and duty therein as he could possibly tell how to express.

169. 'For matters of ceremony,' he said, 'he would, in tenderness to any number of his loving subjects, be willing to comply with the advice of his Parliament, that some law should be made for the exemption of tender consciences from punishment or prosecution, for such ceremonies, and in such cases, which, by the judgment of most men, are held to be matters indifferent, and of some, to be absolutely unlawful; provided that that ease[4] should be attempted and pursued with that modesty, temper, and submission, that in the mean time the peace and quiet of the kingdom should not be disturbed, the decency and comeliness of God's service discountenanced, nor the pious, sober, and devout actions of those reverend persons who were the first labourers in the blessed Reformation, or of that time, be scandaled and defamed. For,' he said, 'he could not, without grief of heart, and without some tax upon himself and his ministers for the not execution of the laws, look upon the bold license of some men in printing of pamphlets, in preaching and printing of sermons, so full of bitterness and malice against the present government, against the laws established, so full of sedition against his own person and the peace of the kingdom, that he was many times amazed to consider by what eyes those things were seen and by what ears they were heard.

170. 'Concerning the civil liberties and interests of the subjects,' he said, 'he should need say the less, having erected so many lasting monuments of his princely and fatherly care of his people, in those excellent laws passed by him this parliament; which (with very much content to himself, he said) he conceived to be so large and ample that very many sober men had very little left to wish for.' He told them, 'he very well understood the rights and particular advantages he had departed from in many of the Acts he had passed; and therefore he had reason to hope, as he had taken all occasions to render their condition most comfortable and happy, so they would in a grateful and dutiful relation be always ready with equal tenderness and alacrity to advance his rights and preserve his honour, upon which their own security and subsistence so much depended; and no particular should be presented unto him for the completing and

[1] ['unanswerable,' in the copy printed in Husbands' *Collection*, 1643, p. 26, and in the King's *Works*, 1662, part ii. p. 74.]

[2] ['as,' MS.]

[3] ['only' for 'greatest' in the copy in Husbands' *Collection*, 1643, and in the King's *Works*, 1662.]

[4] [Misread as 'case' in former editions.]

establishing that security to the which he would not with the same readi- 1642
ness contribute his best assistance.' He said, 'if those resolutions were the effects of his present counsels, (and he took God to witness that they were such, and that his subjects might confidently expect the benefit of them from him,) certainly no ill design upon the public could accompany such resolutions, neither could there be great cause of suspicion of any persons preferred by him to degrees of honour, and places of trust and employment, since this Parliament. And therefore, that amongst his misfortunes he reckoned it not the least, that, having not retained in his service nor protected any one person against whom the Parliament had excepted during the whole sitting of it, and having in all that time scarce vouchsafed to any man an instance of his favour or grace but to such who were under some eminent character of estimation amongst the people, there should so soon be any misunderstanding or jealousy of their fidelity and uprightness, especially in a time when he took all occasions to declare that he conceived himself only capable of being served by honest men and in honest ways.

171. 'However, if he had been mistaken in such his election, the particular should be no sooner discovered to him, either by his own observation or other certain information, than he would leave them to public justice, under the marks of his displeasure. If, notwithstanding this, any malignant party should take heart, and be willing to sacrifice the peace and happiness of their country to their own sinister ends and ambitions, under what pretence of religion and conscience soever; if they should endeavour to lessen his reputation and interest, and to weaken his lawful power and authority, with his good subjects; if they should go about, by discountenancing the present laws, to loosen the bonds of government, that all disorder and confusion might break in; he doubted not but God in his good time would discover them, and the wisdom and courage of his high court of Parliament join with him in their suppression and punishment.

172. 'Having said all he could to express the clearness and uprightness of his intentions, and done all he could to manifest those intentions,' he said, 'he could not but confidently believe, all his good subjects would acknowledge his part to be fully performed, both in deeds past and present resolutions to do what with justice might be required of him; and that their quiet and prosperity depended now wholly on themselves, and was in their own power, by yielding all obedience and due reverence to the law; which is the inheritance of every subject, and the only security he can have for his life, liberty, and estate; and the which being neglected or disesteemed (under what specious shows soever) a great measure of infelicity, if not an irreparable confusion, must without doubt fall upon them. And he doubted not it would be the most acceptable declaration a king could make to his subjects, that he was not only resolved to observe the laws himself but to maintain them against what opposition soever, though with the hazard of his being. He hoped the loyalty and good affections of all his subjects would concur with him in the constant preserving a good understanding between him and his people; and that their own interest, and compassion of the lamentable condition of the poor Protestants in Ireland, would invite them to a fair intelligence and unity

1642 amongst themselves; that so they might, with one heart, intend the relieving and recovering that unhappy kingdom, where those barbarous rebels practised such inhuman and unheard of outrages upon the miserable people that no Christian ear could hear without horror, or story parallel.' He concluded with conjuring 'all his good subjects, of what degree or quality soever, by all the bonds of love, duty, and obedience, that are precious to good men, to join with him for the recovery of the peace of that kingdom and the preservation of the peace of this; to remove all their doubts and fears which might interrupt their affection to him, and all their jealousies and apprehensions which might lessen their charity to each other; and then,' he said, 'if the sins of the nation had not prepared an inevitable judgment for all, God would make him a great and a glorious king over a free and a happy people.'

173. Though this Declaration had afterwards a very good influence upon the people to his majesty's advantage, yet for the present it gave no allay to their distempers. Their seditious ministers were despatched to inflame the neighbour counties, and all possible art was used to inflame the city of London; which prevailed so far, that, notwithstanding all the opposition the Lord Mayor of London, the Recorder, and the gravest and most substantial aldermen could make, the major part of the
Jan. 7. Common Council prevailed to send a petition to the King, in the name of the 'Mayor, Aldermen, and Common Council of
Jan. 9. the city of London;' which was the next Sunday morning delivered to him with great solemnity at Whitehall, by a number chosen of that body; representing 'the great dangers, fears, and distractions, the city then was in, by reason of the prevailing progress of the bloody rebels of Ireland; the putting out of persons of honour and trust from being Constable and Lieutenant of the Tower, especially in those times, and the preparations there lately made; the fortifying Whitehall with men and munition in an unusual manner, some of which men abused and wounded divers citizens passing by; the calling in of divers cannoneers and other assistance into the Tower; the discovery of divers fireworks in the hands of a Papist; and the misunderstanding between his majesty and the Parliament. That their fears were exceedingly increased by his majesty's late going into the House of Commons, attended by a great multitude of armed men, for the apprehending of divers members of that House, to the endangering his own person and

the persons and privileges of that honourable assembly. That 1642
the effects of those fears tended not only to the overthrow of the whole trade of that city and kingdom, which they felt already in a deep measure, but threatened the utter ruin of the Protestant religion, and the lives and liberties of all his subjects. And therefore they prayed his majesty, that, by the advice of his Great Council in Parliament, the Protestants in Ireland might be speedily relieved; the Tower put into the hands of persons of trust; that, by removal of doubtful and unknown persons from about Whitehall and Westminster, a known and approved guard might be appointed for the safety of his majesty and the Parliament; and that the lord Mandevill and the five members of the House of Commons lately accused might not be restrained of liberty, or otherwise proceeded against, than according to the privileges of Parliament.'

174. The King very well understood from what spirit this petition proceeded, and the inconvenience of giving so much countenance to it as the very receiving it was, if he could have avoided it. But the torrent was too strong to be resisted by any direct strength he could raise against it; and therefore he resolved to endeavour to divide and reduce them by the most gracious descending to their pretended fears and apprehensions, and the same day gave them this answer: 'That for the sad business of Ireland, he could not possibly express a greater sense than he had done, there being nothing left on his part unoffered or undone. For the Tower, he wondered that, having removed a servant of trust from that charge, only to satisfy the fears of the city, and put in another of unquestionable reputation and known ability, the petitioners should still entertain those fears; and whatever preparation of strength was there made, was with as great an eye of safety and advantage to the city as to his own person, and should be equally employed to both.

175. 'For the fortifying Whitehall with men and munition in an unusual way, he doubted not they had observed the strange provocation he had received to entertain that guard;

1642 that, by the disorderly and tumultuous conflux of people at Westminster and Whitehall, his Great Council was not only disquieted but his own royal person in danger, most seditious language being uttered even under his own windows. And if any citizens had been wounded or ill treated, he was confidently assured that it had happened by their own evil and corrupt demeanours. For the fireworks in the hands of a Papist, he knew nothing, nor understood whom or what they meant.

176. 'For his going to the House of Commons, (when his attendants were no otherwise armed than, as gentlemen, with swords,) he was persuaded that if they knew the clear grounds upon which those persons stood accused of high treason, and what would be proved against them, (with which they should be in due time acquainted,) and considered the gentle way he took for their apprehension, (which he preferred before any course of violence, though that way had been very justifiable, since it was notoriously known that no privilege of Parliament can extend to treason, felony, or breach of the peace,) they would believe his going thither was an act of grace and favour to that House, and the most peaceable way of having that necessary service performed, there being such orders made for the resistance of what authority soever for their apprehension. And for the proceedings against those persons, he ever intended the same should be with all justice and favour, according to the laws and statutes of the realm, to the which all innocent men would cheerfully submit. And that extraordinary way of satisfying a petition of so unusual a nature,' he said, 'he was confident would be thought the greatest instance could be given of his clear intentions to his subjects, and of the singular esteem he had of the good affections of that city, which he hoped in gratitude would never be wanting to his just commands and service.'

177. It was no wonder that they who at such a time could be corrupted to frame and deliver such a petition would not be reformed by such an answer. Neither will it be here unseasonable to spend a little time in considering how the affections and tempers of so rich and opulent a city, which could naturally

expect to prosper only by peace and agreement, were wrought upon and transported to that degree as to be the only instruments of its own and the kingdom's destruction. 1642

178. The city of London, as the metropolis of England, by the situation the most capable of trade, and by the not [un]usual residence of the Court, and the fixed station of the courts of justice for the public administration of justice throughout the kingdom, the chief seat of trade, was by the successive countenance and favour of princes strengthened with great charters and immunities, and was a corporation governed within itself; the mayor, recorder, aldermen, shriefs, chosen by themselves; several companies incorporated within the great corporation; which, besides notable privileges, enjoyed lands and perquisites to a very great revenue. By the incredible increase of trade, (which the distractions of other countries, and the peace of this, brought,) and by the great license of resort thither, it was, since the access of the crown to this King, in riches, in people, in buildings, marvellously increased, insomuch as the suburbs were almost equal to the city; a reformation of which had been often in contemplation, never pursued, wise men foreseeing that such a fulness could not be there without an emptiness in other places, and whilst so many persons of honour and estates were so delighted with the city, the government of the country must be neglected, besides the excess and ill husbandry that would be introduced thereby. But such foresight was interpreted a morosity, and too great an oppression upon the common liberty; and so, little was applied to prevent so growing a disease.

179. As it had these, and many other, advantages and helps to be rich, so it was looked upon too much of late time as a common stock not easy to be exhausted, and as a body not to be grieved by ordinary acts of injustice; and therefore it was not only a resort in all cases of necessity for the sudden borrowing great sums of money, (in which they were commonly too good merchants for the Crown,) but it was thought reasonable upon any specious pretences to avoid the security that was at any time given for money so borrowed.

1642 180. So, after many questions of their charter, (which were ever removed by considerable sums of money,) a grant made by the King in the beginning of his reign [1], in consideration of great sums of money, of good quantities of land in Ireland, and the city of Londonderry there, was avoided by a suit in the Star-Chamber, all the lands (after a vast expense in building and planting,) resumed into the King's hands, and a fine of 1635 50,000*l.* [2] imposed upon the city. Which sentence being pro-
March 8. [3] nounced after a long and public hearing, during which time they were often invited to a composition [4], both in respect of the substance and the circumstances of proceeding, made a general impression in the minds of the citizens of all conditions much to the disadvantage of the Court; and though the King afterwards remitted to them the benefit of that sentence [5], they imputed that to the power of the Parliament, and rather remembered how it had been taken from them than by whom it was restored: so that at the beginning of the Parliament the city was as ill affected to the Court as the country was, and therefore chose such burgesses to sit there as had either eminently opposed it or accidentally been oppressed by it.

181. The chief government and superintendency of the city is in the mayor and aldermen, which, in that little kingdom, resembles the House of Peers; and, as subordinate, the Common Council is the representative body thereof, like the House of Commons, to order and agree to all taxes, rates, and such particulars belonging to the civil policy. The Common Council

[1] [By James I. The charter is dated 29 March, 1613.]

[2] [£70,000; *Cal. Dom. S. P.* 1634–5, p. 586. *View of the Irish Society*, 1822, p. 197.]

[3] [Date of the sentence in the Star-Chamber. In Hilary Term, 1638, the Lord Chancellor gave final judgment for revoking the grant to the city.]

[4] [Whitlocke says the city *offered* composition in the building a palace in St. James' park, &c. *Memorials*, edit. 1853, vol. i. p. 101.]

[5] [At the banquet given him by the city on Nov. 25, 1640, he promised 'to give back freely that part of Londonderry which heretofore was evicted from you.' But the Star-Chamber sentence was annulled by vote of the Commons of Aug. 26, 1641.]

are chosen every year, so many for every parish, of the wisest 1642
and most substantial citizens, by the vestry and common convention of the people of that parish; and as the wealthiest and best reputed men were always chosen, so, though the election was once a year, it was scarce ever known that any man once chosen was afterwards rejected or left out, except upon discovery of an enormous crime, or decaying in fortune to a bankrupt; otherwise, till he was called to be alderman, or died, he continued, and was every year returned of the Common Council.

182. After the beginning of this Parliament, when they found by their experience in the case of the earl of Strafford of what consequence the city might be to them, and afterwards found, by the courage of the present lord mayor, sir Richard Gurny, (who cannot be too often nor too honourably mentioned,) that it might be kept from being disposed by them, and that the men of wealth and ability, who at first had concurred with them, began now to discern that they meant to lead them further than they had a mind to go; they directed their confidants that, at the election of the common councilmen, by the concurrence and number of the meaner people, all such who were moderate men and lovers of the present government should be rejected, and in their places men of the most active and pragmatical heads, (of how mean fortunes soever,) should be elected: and by this means all that body consisted of upstart, factious, indigent companions, who were ready to receive all advertisements and directions from those who steered at Westminster, and as forward to encroach upon their superiors, the mayor and aldermen, as the other was upon the House of Peers. And so this firebrand of privilege inflamed the city at that time.

183. That they might gratify the city in procuring a better answer than they had received from the King to their petition, and that they might more expose his majesty to their affronts, the House resumed the business of the Tower again, with the old reflections upon the remove[1] of the former good Lieutenant, Jan. 11, 12, 15.

[1] [From this place the rest of the section is from the *Life*, p. 144.]

1642 and the putting in a rude person and of a desperate fortune, that he might use such prisoners as there was an intent to send thither in such a manner as he should be directed; and that the person who was since put in had put the city into great apprehensions, by the observation that was made that he took great store of provisions into the Tower, as if he made provision for a greater garrison; which raised great jealousies,
Jan. 17. and there was a petition brought, and delivered to the Houses, in the names of several merchants who used to trade to the Mint; and they desired that there might be such a person made Lieutenant of the Tower 'as they could confide in,' (an expression that grew from that time to be much used,) without which no man would venture bullion into the Mint, and by consequence no merchant would bring it into the kingdom. Whereas in truth there was no gentleman of the kingdom of a better reputation amongst all sorts of men, and there had been more bullion brought into the Mint in the short time of his being Lieutenant than had been in many months before[1]: and amongst those persons which so solemnly delivered that petition, and had all subscribed it, there were very few who had ever sent any silver into the Mint. However, the House entertained the complaint as very reasonable, and sent for a conference with the Lords, with whom they prevailed to join with them[2] in a desire to the King, 'that he would remove sir John Byron from being Lieutenant of the Tower,' which the King for some time refused to do, till they pressed it in another manner, which shall be mentioned anon.

184. The committee that still continued to sit in London intended no other business but their privileges; sent for, and examined, as hath been said, all men who had attended his majesty, or had been casually present in the Hall, or at the door of the Commons' House, when the King was there: and

[1] [The Common Council of London certified the House of Lords on Jan. 17, that there had been no stay or forbearing of bringing in of bullion by reason of Sir J. Byron's appointment, but on Jan. 19 a directly contrary certificate was returned. Append. to *Fifth Rep. of Hist. MSS. Commission*, p. 4.]

[2] [On Jan. 17 the Lords refused on a division to join in the petition brought from the Commons. The conference on the subject had been on Jan. 15.]

all such examinations as testified any extravagant discourse uttered by any loose fellow who had accidentally put himself into the company, though it appeared he had no relation to the King's service, were carefully entered and published; but such as declared the King's strict command against any violence or disorder, and his positive charge that no man should presume to follow him into the House of Commons, (as full proof was made to them of those particulars,) were as carefully suppressed and concealed. 1642

185. The shriefs of London were directed to appoint a guard to attend the committee whilst it should continue at Guildhall, and then to guard the Houses when they should again sit at Westminster. The accused persons, who lodged all this time in the city, were brought to the committee with much state, and sat with them to devise some way to vindicate themselves. Jan. 8.

186. Then a Declaration was agreed upon by the Commons only, in which was set forth that Jan. 17.

'The chambers, studies, and trunks of Mr. Hollis, sir Arthur Haslerigge, Mr. Pim, Mr. Hambden, and Mr. Strowde, had been by colour of his majesty's warrant sealed up; which was not only against the privilege of Parliament but the common liberty of every subject; that the said members had been the same day demanded by a sergeant at arms to be delivered to him, that he might arrest them of high treason; that the next day his majesty came to the House in his own person, attended with a multitude of armed men in a warlike manner, with halberds, swords, and pistols, who came up to the very door of the House, and placed themselves there, and in other places and passages near to the House, to the great terror and disturbance of the members then sitting; that his majesty, sitting in the Speaker's chair, demanded the persons of those members to be delivered to him, which was a high breach of the rights and privilege of Parliament, and inconsistent with the liberties and freedom thereof; that afterwards his majesty did issue forth several warrants to divers officers under his own hand for the apprehension of their persons, which by law he could not do.' And thereupon they declared, 'that if any person should arrest Mr. Hollis, &c., or any other member of Parliament, by pretence of any warrant issuing out from the King, he was guilty of the breach of the privilege of Parliament, and a public enemy to the commonwealth; and that the arresting of any member of Parliament, by any warrant whatsoever, without consent of that House whereof he is a member, is a breach of the privilege of Parliament, and the person that shall so arrest him is declared a public enemy of the commonwealth.'

187. They published, 'that it did fully appear by several examinations that many soldiers, Papists, and others, to the number of about five

1642 hundred, came with his majesty to the House of Commons, armed; and that some of them, holding up their pistols cocked, near the door of the House which they kept open, said, "*I am a good marksman; I can hit right, I warrant you:*" and said, "*they would have the door open, and if any opposition was made they made no question but they should maintain their party;*" and that some said, "*A pox take the House of Commons; let them be hanged;*" and when the King returned from the House they expressed great discontent, asking, "*When comes the word:*" that some of them being demanded what they thought the company intended to have done, answered that, questionless, in the posture they were set, if "*the word*" had been given, they should have fallen upon the House of Commons and have cut all their throats.'

188. Upon which they said 'they were of opinion that the soldiers and Papists coming in that manner with his majesty was to take away some of the members of the House, and if they should have found opposition or denial then to have fallen upon the House in a hostile manner.' And they did thereupon declare, 'That the same was a traitorous design against the King and Parliament. And whereas the persons accused had, with the approbation of the House, absented themselves from the service of the House, for avoiding the great and many inconveniences which otherwise might have happened, since which time a printed paper in the form of a
Jan. 8. Proclamation had issued out for the apprehending and imprisoning them, suggesting that through the conscience of their guilt they were absent and fled;' they did further declare, 'that the said printed paper was false, scandalous, and illegal; and that notwithstanding that printed paper, or any warrant issued out, or any other matter against them, they might, and ought, attend the service of the House and the committees then on foot; and that it was lawful for all persons whatsoever to lodge, harbour, or converse with them; and whosoever should be questioned for the same should be under the protection and privilege of Parliament.'

Jan. 17[1] 189. And they declared, 'That the publishing the articles of high treason against the persons accused was a high breach of the privilege of Parliament, a great scandal to his majesty and his government, a seditious act manifestly tending to the subversion of the peace of the kingdom, and an injury and dishonour to the members; that the privileges of Parliament and liberties of the subject, so violated and broken, could not be fully and sufficiently vindicated unless the King would be graciously pleased to discover the names of those persons who advised him to do the particular acts before mentioned, that they might receive condign punishment.'

190. This strange Declaration, so contrary to the known rules and judgments of law, and to the known practice and proceedings of Parliament, was no sooner framed and agreed upon in the committee than it was printed, and published throughout the city and kingdom, before it was confirmed by or reported to the House; which is against the law, and an

[1] [First voted by the Committee at Grocers' hall on Jan. 10.]

express statute in that case provided[1], that no act done at 1642
any committee shall be divulged before the same be reported to the House.

191[2]. The truth is, it cannot be expressed how great a change there appeared to be in the countenance and minds of all sorts of people, in town and country, upon these late proceedings of the King. They who had before even lost their spirits, having lost their credit and reputation, except amongst the meanest people who could never have been made use of by them when the greater should forsake them, and so, despairing of ever being able to compass their designs of malice or ambition, some of them were resuming their old resolutions of leaving the kingdom, now again recovered greater courage than ever, and quickly found that their credit and reputation was as great as ever it had been; the Court being reduced to a lower condition, and to more disesteem and neglect, than ever it had undergone. All that they had formerly said of plots and conspiracies against the Parliament, which had before been laughed at, [was[3]] now thought true and real, and all their fears and jealousies looked upon as the effects of their great wisdom and foresight. All that had been whispered of Ireland was now talked aloud and printed, as all other seditious pamphlets and libels were. The shops of the city generally shut up, as if an enemy were at their gates ready to enter and to plunder them; and the people in all places at a gaze, as if they looked only for directions, and were then disposed to any undertaking.

192. On the other side, they who had, with the greatest courage and alacrity, opposed all their seditious practices, between grief and anger were confounded with the consideration of what had been done and what was like to follow. They were far from thinking that the accused members had received much wrong, yet they thought it an unseasonable time to call them to account for it; that if any thing had been to be done of that kind, there should have been a better choice of the persons,

[1] [No statute can be found with this provision. But see May's *Law of Parl.*, Eighth Edit. 1879, p. 89.]

[2] [§§ 191–5 from the *Life*, pp. 144–5.]

[3] ['were,' MS.]

1642 there being many of the House of more mischievous inclinations and designs against the King's person and the government, and were more exposed to the public prejudice, than the lord Kimbolton was, who was a civil and well natured man, and had rather kept ill company than drank deep of that infection and poison that had wrought upon many others. Then sir Arthur Haslerigge and Strowde were persons of too low an account and esteem; and though their virulence and malice was as conspicuous and transcendent as any men's, yet their reputation and interest to do any mischieve, otherwise than in concurring in it, was so small that they gained credit and authority by being joined with the rest, who had indeed a great influence. However, if there was a resolution to proceed against those men, it would have been much better to have caused them to have been all severally arrested and sent to the Tower or to other prisons, which might have been very easily done before suspected, than to send in that manner to the Houses with that formality which would be liable to so many exceptions. At least, they ought so far to have imparted it to members in both Houses who might have been trusted, that, in the instant of the accusation, when both Houses were in that consternation, (as in a great consternation they were,) somewhat might have been pressed confidently towards the King's satisfaction; which would have produced some opposition and contradiction, which would have prevented that universal concurrence and dejection of spirit which seized upon and possessed both Houses.

193. But, above all, the anger and indignation was very great and general that to all the other oversights and presumptions [was added] the exposing the dignity and majesty and safety of the King, in his coming in person in that manner to the House of Commons, and in going the next day, as he did, to the Guildhall and to the lord mayor's, which drew such reproaches upon him to his face. All which was justly imputed to the lord Digby, who had before fewer true friends than he deserved, and had now almost the whole nation his enemies, being the most universally odious of any man in it.

194. When the House of Commons had passed such votes 1642
from the committee at Merchant-Tailors' hall as they thought necessary, and once more adjourned thither, the committee asked the advice of the House whether the accused members might be present with them, (who had in truth directed and governed all their proceedings from the time they sat there :) which was not only approved but those members required to attend the House the next day it was to sit, and so to continue the service of the House, which was then adjourned for three or four days, that the city might appear in such a posture as should be thought convenient.

195. The noise was so great of the preparations made in the city to bring the accused members in triumph to the Parliament, and that the whole militia would accompany them, whilst the seamen and mariners made an appearance in barges and other vessels upon the Thames, to Westminster, [that] the King thought it convenient to remove again from Whitehall[1]; and so on the tenth of January, which was the eve to the great Jan. 10.
festival, his majesty, the Queen, and the royal children, went from Whitehall to Hampton Court, attended by some few of their own household servants, and thirty or forty of those officers who had attended at Whitehall for security against the tumults.

196. Before his going he sent to the earls of Essex and Jan. 11.
Holland to attend him in his journey; who were both by their places (the one being his Chamberlain of his household, the other his prime gentleman of his bedchamber) obliged to that duty. The earl of Essex resolved to go, and to that purpose was making himself ready when the earl of Holland came to him and privately dissuaded him, assuring him that if they two went they should be both murdered at Hampton Court; whereupon they left the King to his small retinue and in a most disconsolate, perplexed condition, in more need of comfort and counsel than they had ever known him; and, instead of attending their master in that exigent, they went together into

[1] [From this place, §§ 195–213 are from the *Hist.*, pp. 109–113, except that the last sentence in 196, parts of 198–9, and 204–6, are from the *Life*, pp. 145–6.]

1642 the city where the committee sat, and where they were not the less welcome for being known to have been invited to have waited upon their majesties. They who wished the King best were not sorry that he then withdrew from Whitehall; for the insolence with which all that people were transported, and the animosity which was infused into the hearts of the people in general against the Court, and even against the person of the King, cannot be expressed.

197. Whilst the committee sat in London, the Common Council likewise met, to the end they might be ready to comply in any particulars should be desired from the city; and so, the committee having resolved, 'that the actions of the citizens of London, or of any other person whatsoever, for the defence of the Parliament, or the privileges thereof, or the preservation of the members thereof, were according to their duty and to their late Protestation and the laws of this kingdom; and if any person should arrest or trouble any of them for so doing, he was declared to be a public enemy of the commonwealth;' and in the next place having resolved 'that that vote should be made known to the Common Council of the city of London;' the accused members, about two of the clock in the afternoon
Jan. 11 on the eleventh day of January (being the next day after the King went to Hampton Court,) came from their lodgings in the city to Westminster, guarded by the shrieves and train-bands of London and Westminster, and attended by a conflux of many thousands of people besides, making a great clamour against bishops and popish lords and of the privileges of Parliament; some of them as they passed by Whitehall asking, with much contempt, 'what was become of the King and his cavaliers? and whither he was gone?'

198. From London-bridge to Westminster the Thames was guarded with above one hundred lighters and long-boats, laden with rabletts and murderers, and dressed up with [mast-]clothes[1] and streamers, as ready for fight. [As for] the train-bands of London, that they might be under the command of a person fit to lead them, they granted a commission to captain Skippon,

[1] ['Wast-clothes,' MS. See note on p. 599.]

who was captain of the Artillery-garden, to be major-general of the militia of the city of London; an office never before heard of, nor imagined that they had authority to constitute such an officer. The man had served very long in Holland, and from a common soldier had raised himself to the degree of a captain and to the reputation of a good officer: he was a man of order and sobriety, and untainted with any of those vices which the officers of that army were exercised in, and had newly given over that service upon some exceptions he had to it; and, coming to London, was by some friends preferred to that command in the Artillery-garden, which was to teach the citizens the posture of their arms. He was altogether illiterate, and having been bred always in Holland he brought disaffection enough with him from thence against the Church of England, and so was much caressed and trusted by that party[1]. 1642

199. This man marched that day in the head of their army to the Parliament-house; where the accused members were no sooner entered than they magnified 'the great kindness and affection they had found in the city and their zeal to the Parliament; and if their expressions of it, upon this extraordinary occasion, had been somewhat unusual, that the House

[1] [The following paragraph about Skippon and the return of the five members has been struck out on p. 108 of the MS. of the *Hist.*, as being superseded by the paragraphs given above. It is not printed in previous editions.

'When those accused gentlemen had thus armed and fortified themselves, they thought they might venture again to Westminster, and the shrieves of London having undertaken to guard them thither, and to appoint a daily guard to attend them under the command of one capt. Philip Skippon (a captain in Holland of good experience, but more fame for some scruples in his conscience against the government of the Church and the book of Common Prayer), who in that hurry of confusion was constituted by the general suffrage Serjeant-major-general of the train-bands of London, they resolved, at the next meeting of the Houses, which was to be on the eleventh of that month of January, to be there; besides this security by land, the masters and inferior officers as well of the King's own ships as of merchants, partly by their own schismatical and seditious natures, and partly by the activity and infusion of young Sir Harry Vane (whom the King had some few years before made Treasurer of his navy), having declared that they would guard the river of Thames, that no treachery should be attempted upon them that way.'] 163$\frac{2}{3}$ Jan. 11.

1642 was engaged in honour to protect and defend them from receiving any damage.' Whereupon the shriefs of London were called into the House of Commons, and thanked by the Speaker for their extraordinary care and love expressed to the Parliament, and told that they should have an ordinance of Parliament for their indemnity, declaring that all their actions of respect and kindness which they had shewed to the Lords and Commons in London, and their attending them to and at Westminster, was legal and justifiable. The masters and officers of ships were likewise called in, and most heartily thanked for their kindness; and sergeant-major-general Skippon appointed every day to attend at Westminster with such a guard as he thought sufficient for the guard of the two Houses. There was one circumstance not to be forgotten in the march of the city that day, when the show by water was little inferior to the other by land, that the pikemen had fastened to the tops of their pikes, and the rest in their hats or their bosoms, printed papers of the Protestation which had been taken and enjoined by the House of Commons the year before for the defence of the privilege of Parliament; and many of them had the printed votes of the King's breaking their privileges in his coming to the House and demanding their members.

200. As soon as the citizens and mariners were discharged,
Jan. 11. some Buckinghamshire men, who were said to be at [the] door with a petition, and had indeed waited upon the triumph with a train of above four thousand men, were called in; who delivered their petition in the name of the inhabitants of the county of Buckingham, and said it was brought to the town by about six thousand men. They commended the unwearied pains of the House of Commons for redress of the pressures they had lain under, but complained 'that the success was not answerable, their endeavours being frustrated or retarded by a malignant faction of popish lords, bishops, and others; and now of late, to take all that little hope was left from them of a future reformation, the very being of the Parliament was shaken, the privileges thereof broken in a desperate and un-

exampled manner, and the members thereof unassured of their 1642
lives, in whose safety the safety of them and their posterity was involved. They held it therefore their duty, according to their late Protestation, to defend and maintain the persons and privileges thereof to the utmost power of their lives and estates; to which purpose,' they said, 'they were then come to make the humble tender of their service, and would remain in expectation of their commands and order; to the execution whereof they would with all alacrity address themselves, ready to live by them or to die at their feet, against whomsoever should in any sort illegally attempt upon them.

201. 'They besought them therefore to assist the ardent prayers of the petitioners that the popish lords and bishops might be forthwith outed the House of Peers; that all privileges of Parliament might be confirmed to them, and that all evil counsellors, the Achans of the commonwealth, might be given up to the hands of justice; without all which,' they said, 'they had not the least hope of Israel's peace, or to reap those glorious advantages which the fourteen months' seed-time of their unparalleled endeavours had given to their unsatisfied expectations.'

202. When they had received thanks for their wonderful affection, and were told that by the great care of the city of London the Parliament was sufficiently guarded and assured, and therefore that they might depart to their houses till further occasion appeared, of which they should be sure to be informed, one of them said, 'they had another petition, which they meant to prefer to the King; but desired their advice whether that House would vouchsafe to commend it or whether they themselves should deliver it.' For that, they received new thanks, and were wished 'that six or eight of them should present it to his majesty in the name of the rest; for the House saw their wisdom and moderation such, that they presumed they of themselves were very able to manage that business.'

203. When they had thus caressed the Commons, they went Jan. 11.
to the House of Lords with another petition, complaining of

1642 'the malignant faction, which rendered the endeavours of the House of Commons successless,' and said that 'in respect of that late attempt upon the honourable House of Commons, they were come to offer their service, as resolved in their just defence to live and die. And therefore they did humbly pray that that most honourable House would cooperate with the House of Commons, in speedily perfecting the most necessary work of reformation, bringing to condign and exemplary[1] punishment both wicked counsellors and other plotters and delinquents, and that the whole kingdom might be put into such a present posture of defence that they might be safe both from all practices of the malignant party at home and the endeavours of any ill-affected States abroad.' The Lords were as civil to them as the Commons had been, and gave them
Jan. 13. great thanks. And from thence they went to find out the King with another petition; in which they complained 'that Mr. Hambden, whom they had chosen knight of their shire, and in whom they had ever good cause to confide, was, to their great amazement, accused, amongst others accused of high treason.' They said that, 'having taken into their serious consideration the manner of their impeachment, they could not but conceive that it did oppugn the rights of Parliament, to the maintenance whereof their Protestation did bind them; and they did believe that the malice which his and the others' zeal to his majesty's service and the State had contracted in the enemies of his majesty, the Church, and the Commonwealth, had occasioned that foul accusation rather than any deserts of theirs; and that through their sides the judgment and care of the petitioners and others were wounded, by whose choice they were presented to the House; and therefore they did humbly desire his majesty that Mr. Hambden, and the rest who lay under the burden of that accusation, might enjoy the just privileges of Parliament.' So from this day we may reasonably date the levying of war in England; whatsoever hath been since done being but the superstructure upon those foundations which were then laid.

[1] ['unexemplary,' MS.; 'exemplary,' *Lords' Journals,* p. 506.]

204. [1]The members being in this manner placed again upon their thrones, and the King retired with his poor family to 1642

[1] [The MS. of the *Hist.* proceeds thus[1]:—

1. 'The same day of this triumph, that the danger might be understood to extend farther than those members who were then accused, and to take away the reputation of the new councillors, who were preferred to places they had promised themselves, and were looked upon with singular estimation, and were most like to check the furious course they meant to run, two letters were produced in the House which had been the day before brought to the committee in London by Mr. Bridgeman, a member of the House of very good reputation, who, having a relation to the King's service by being Solicitor to the Prince, and of eminent learning in the law, usually opposed their extravagant proceedings, and had been one of those who dissented in the bill of attainder of the earl of Strafford, and had argued against the treason of the charge. This gentleman received a letter, directed to himself and left at his lodging, containing these words: Jan. 11.

2. '"Sir,

'"We are your friends. These are to advise you to look to yourself, and to advise others of my lord of Strafford's friends to take heed, lest they be involved in the common calamity. Our advice is, to be gone, to pretend business till the great hubbub be past. Withdraw, lest you suffer amongst the Puritans. We entreat you to send away this enclosed letter to Mr. Anderton, enclosed to some trusty friend, that it may be carried safely without suspicion; for it concerns the common safety. So desire your friends in Covent Garden. January 4th."

3. 'The enclosed was directed, "To the worshipful and my much honoured friend Mr. Anderton, these present." Mr. Bridgeman had acquaintance with no such man, and easily found by the style of his own letter that it was only directed to him to bring somewhat to light, or to be able to accuse him of smothering some notable conspiracy; and therefore immediately carried his own letter, and the other, which he would not open, to the committee, which being risen, he delivered both to him who sat in the chair for that service. The letter being broke up by him was presented to the House at the next sitting, and was in these words:

4. '"Sir,

'"Although many designs have been defeated, yet that of Ireland holds well. And now our last plot works as hopefully as that of Ireland. We must bear with something in the man: his will is strong enough as long as he is fed with hopes. The woman is true to us, and real; her counsel about her is very good. I doubt not but to send you by the next very joyful news: for the present, our rich enemies, Pim, Hambden, Hollis, Strowde, and Haslerigge, are blemished, challenged for no less than treason. Before I write next, we doubt not but to have them in the Tower, or their heads from their shoulders. The Solicitor, and Fynes, and Earle, we must serve with the same sauce. And in the House of Lords Mandevil is touched, but Essex, Warwick, Say, Brooke, and Paget, must follow, or else we shall not be quiet. Falkland and Culpeper are friends to our side, at

[1] [Cf. § 125, p. 459, *supra*.]

1642 Hampton Court, they reviewed their votes which had passed in the committee in the city, which they had caused every night to be printed without staying for the confirmation of the House; and where they had any defect, as they thought, or in the interpretation of others, they supplied them with more
Jan. 12, 17. strength and authority. So they provided and declared, 'that no member of Parliament should be arrested upon any pretence whatsoever.' And because it had been insisted on that they would not make any declaration so much against the known

leastwise they will do us no hurt. The Protestants and Puritans are so divided that we need not fear them; the Protestants in a greater part will join with us, or stand neuters, while the Puritan is suppressed. If we can bring them under, the Protestant will either fall in with us, generally, or else, if they do not, they are so indifferent, that, either by fair or foul means, we shall be able to command them. The mischievous Londoners and apprentices may do us some hurt for [the] present; but we need not much fear them; they do nothing orderly, but tumultuously; therefore we doubt not but to have them under command after one brunt; for our party is strong in the city, especially Holborn, the New Buildings, and Westminster. We are afraid of nothing but the Scots appearing again; but we have made a party there, at the King's last being there, which will hold their hands behind them while we act our parts at home. Let us acquit ourselves like men, for our religion and country, now or never. The King's heart is Protestant, but our friends can persuade him and make him believe any thing: he hates the Puritan party, and is made irreconcilable to that side; so that the sun, the moon, and the stars are for us. There are no less than twenty thousand ministers in England; the greater half will, in their places, be our friends, to avenge the bishops' dishonour. Let our friends be encouraged; the work is more than half done.

Your servant, R. E."

5. 'These letters were no sooner read, (though the forgery was so gross that every discerning and sober person clearly discovered it,) but many seemed much moved by them, and concluded that there was some desperate design against the Parliament which was not yet fully discovered; and they that had but three days before declared that the proclamation published by the King against those whom he had accused of high treason was a false and scandalous paper, and that the articles which he had preferred against them were seditious, and an injury and dishonour to the said members, were now contented to entertain the most senseless and groundless scandal against two of their members, equal in reputation to the best of the other, and in a matter every man's heart absolved them, and ordered the letters with solemnity to be delivered at the Lords' bar, after they were entered in the book of the other House, that the Lords might see how many of their members were in danger of the same conspiracy those that were accused had undergone.']

law which allowed no privilege in the case of treason, felony, 1642
or breach of the peace, they now added that even in the case of treason no member ought or could be arrested, or proceeded against, without first informing the House of which he was a member of the charge and evidence against him, and receiving their leave and direction for the proceeding against him. And that men might hereafter be more wary how they were made instrumental in bringing any reproach upon them, they appointed a committee to prepare a charge against Harbert, the Jan. 15.
King's Attorney General, for presuming to accuse the members of high treason; which was made ready accordingly, and prosecuted with wonderful vigour, as will be remembered hereafter.

205. They resolved that the King should not enjoy much ease and quiet in his retreat, and therefore every day sent some committee or other to him with petitions and expostulations. A committee of Lords and Commons attended him with a grievous complaint of the breach of privilege they had sustained by his coming to the House, and desired that 'he would inform them who had given him that pernicious counsel, that such evil counsel might be brought to justice and receive condign punishment.' And when they found that the lord Digby, whom they generally believed to be the author and contriver of all that transaction, though they could have no evidence of it, had withdrawn himself from the Court, and they well enough knew had transported himself beyond the seas, they brought witnesses to the bar who affirmed that there was, on such a day, several officers, whereof the un- Jan. 12.
beloved Lunsford was one, assembled together at Kingston-upon-Thames near Hampton Court, and that the lord Digby came thither to them in a coach with six horses from Hampton Court, and conferred a long time with them, and then returned again thither[1]. They were well satisfied with the evidence, and forthwith accused him to the House of Peers of high treason, for the levying of war against the King and Parliament; and a proclamation was shortly issued out for his apprehension, when all the town knew that he was safely

[1] [See note to § 210.]

1642 arrived in Zealand; but they thought it fit to shew him how unsavoury a jest the sending out such proclamations was to be esteemed. They resumed the consideration of the lieutenant of the Tower; and upon new information that much provision
Jan. 12. was sent in thither every day, they sent for sir John Byron,
Jan. 13. who appeared at their bar, and gave so full answers to all the questions they asked of him that they could not but dismiss him.
Jan. 15[1]. However they sent again to the King to remove him and put a fitter man into the place, and recommended sir John Conyers as a man in whom they could confide; and because they did not
Jan. 12. speedily receive such an answer as they liked, they appointed their major-general Skippon to place such guards about the Tower as might prevent the carrying in more provision of victual thither than would serve for one day's consumption; notwithstanding which, his majesty would not consent to their desire[2].

206. All men were now in union with both Houses: the Lords had not yet recovered the courage to dissent in any one proposition made to them from the Commons; and in that House no man durst presume to debate the matter of privilege, how far it extended, and in what cases it was of no moment, lest he might be thought to be privy to, and a counsellor of, that heinous breach which had given them all this credit. In this consent and concurrence, all the votes which had passed at the committee in London, and which had been by them communicated to the Common Council, and so
Jan. 17. divulged throughout the city and kingdom, were confirmed; and those who objected against any expressions which were not warrantable, reprehended for laying a tax upon the discretion of the committee.

[1] [On this day the Commons desired the Lords to join in a petition for the appointment of Conyers, but on the 17th the Lords refused. On Feb. 9 both Houses petitioned.]

[2] [The last line, 'notwithstanding ... desire,' is substituted in the MS. for the following passage, which is struck out:—

'And so the King was at last prevailed with to remove sir John Byron,
Feb. 11. and to put sir John Conyers in the place, who was a man the King had no other exception to than that he was recommended by them, which was exception enough: and the yielding to them in it exceedingly raised their spirits, and made them the more insolent.']

207. And in one day[1] both Houses agreed in and executed three acts of sovereignty, even of as high a nature as any they have since ventured upon; the first, in commanding the shrieves of London, by and with the advice of their new sergeant-major-general Skippon, to place a guard upon, that is to besiege, the Tower of London, to hinder the going in of any provisions, or going out of any arms or ammunition; the second, in appointing sir John Hotham to go to Hull, which will be mentioned anon[2]; the third, in sending an order to the governor of Portsmouth that nobody should be admitted into that town and fort, or suffered to pass from thence, or any thing to be disposed of there, but by order from the King signified by both Houses of Parliament. 1642 Jan. 12. Jan. 11. Jan. 12.

208. After this, a message was resolved upon to be sent to the governor[3] to the Prince, 'that he should not suffer the Prince to be transported out of the kingdom, as he would answer the breach of trust reposed in him concerning religion, and the honour, safety, and peace of the three kingdoms;' and declaring, 'that any person who should persuade or attend upon him in such transportation should be under the same censure.' With these high acts of public concernment they joined the vindication of themselves from the late trespass from the King: and to that end caused the Attorney General to be publicly examined upon interrogatories, 'whether he did contrive, frame, or advise, the articles of impeachment against the members that were accused? whether he knew the truth Jan. 14.

[1] [on two successive days.]

[2] [The following lines are added in the MS., but are struck out:— 'and to put into that town such companies of the trained-bands adjoining as he thought necessary for the keeping that town and the magazine there; his majesty having caused all his ammunition and ordnance the year before, upon the dissolving the armies and dismantling the garrisons of Berwick and Carlisle, to be brought to that place; and that he should not suffer any part of that magazine to be delivered to any without warrant from the King by advice of both Houses.' The notice of the sending the order to Portsmouth is also struck out.]

[3] [The words 'Marquis of Hertford,' are incorrectly struck out in the MS. before the word 'governor.' Hertford had succeeded the earl of Newcastle in the office Aug. 10, 1641 (Rymer's *Fœdera*), and the order of the Houses was directed to him.]

1642 of them upon his own knowledge, or by information? whether he would undertake to make them good when he should be thereunto called? from whom he received them, and by whose direction or advice he did exhibit them? whether he had any testimony or proof of them before the exhibiting?' And having received his answer, 'that he had neither framed nor advised them, nor knew any thing of the truth of them, nor could undertake to justify them; but that he had received them from the King, and was by him commanded to exhibit
Jan. 15. them;' they presently declared 'that he had broken the privilege of Parliament in preferring those articles, and that the same was illegal, and he criminous for so doing; and that a charge should be sent to the Lords, in the name of the House of Commons, against the Attorney General, to have satisfaction for the great scandal and injury to the members thereof, unless he did within five days bring in his proof and make good the articles against them.'

209. So that they had now raised to them an unquestionable
Jan. 19. stock of security, when they had declared 'that they might neither be apprehended by a warrant under the King's own hand, nor indeed by himself, nor accused by his Attorney General, except themselves were willing:' and they, who had concluded it most exactly just that the House of Peers must imprison their own members as fast as they accused them of high treason, and by that rule (and in a case wherein every man's conscience absolved them of the guilt with which they were charged) had within less than a week before freed themselves of twelve bishops who always opposed their desires, thought it now unanswerable reason to evince the injustice of the King's proceedings; 'because if a man should be committed and imprisoned as soon as the King accused him of high treason, the Parliament might be dissolved, since he might successively accuse the whole body;' which logic, if they had not pleased to vote the contrary, would have run as well in their own case and upon their own license of accusing, and more dangerously in respect of the House of Peers, which possibly might indeed have been thereby dissolved, when by

new elections that mischieve would easily be prevented in the House of Commons. 1642

210. Though the King had removed himself out of the noise of Westminster, yet the effects of it followed him very close; for besides the Buckinghamshire petitioners, who alarumed him the same or the next day after he came to Hampton Court[2], several of the same nature were every day presented Jan. 10. Jan. 13[1].

[1] [At Windsor: Rushworth III. i. 478.]

[2] [The next five lines are inserted in the MS. in place of the following passage which is struck out, and not noticed in previous editions:—

'—he found the whole country thereabouts raised upon a strange occasion. Some few of those officers who had attended at Whitehall (for most of them were so poor that they had no horses) followed him, as was said before, to Hampton Court, and so (as the custom in all progresses was both for the servants and attendants) were necessarily to lodge at Kingston-upon-Thames, which was the next accommodation to the Court. The lord Digby, who attended upon his Majesty, (and who was much in displeasure with the violent party since the bill of attainder of the earl of Strafford, and was then upon general surmises, because he was admitted to many private conferences with the King and Queen) had, either in his way through the town, or else purposely, visited those officers, amongst whom Sir Thomas Lunsford, whom they had persecuted from the Tower, was one, and stayed about half-an-hour with them. Hereupon a formal examination was taken by the House of Commons, and though it appeared by the examination that the lord Digby was no otherwise there than in a coach with six horses, and no other persons there in any other manner than the King's servants usually were, an order was conceived and published by both Houses on the 13th day of January, being the third day after the King's leaving Whitehall, in these words:—

'Whereas information hath been given to the Parliament that the lord Digby (son to the earl of Bristol) and Col. Lunsford, with others, have gathered troops of horse, and have appeared in a warlike manner at Kingston-upon-Thames, in the county of Surrey (where the magazine of arms for that part of the county lies), to the terror and affright of his majesty's good subjects and disturbance of the public weal of the kingdom: It is this day ordered by the Lords and Commons in Parliament that the shriefs of the several counties of England and Wales, calling to their assistance the justices of the peace and the trained-bands of those several counties (or so many of them as shall be necessary for the service) shall suppress all unlawful assemblies, gathered together to the disturbance of the public peace of the kingdom, in their several counties respectively, and that they take care to secure the said counties and all the magazines in them.

'Ordered by the Lords in Parliament that this order be printed, and published in all the market-towns in this kingdom.

'These orders thus industriously dispersed,' &c.]

1642 to him in the name of other counties of the kingdom; all which were printed and scattered abroad, with the declaration of the lord Digby's levying war at Kingston-upon-Thames and the proclamation for apprehending him; all which being so industriously dispersed, and without any colour or ground of danger, but only that the kingdom might be inured to the style of the two Houses and exercised in their commands against the time that they meant to be in earnest, gave the
Jan. 12. King reason to remove in few days from Hampton Court to his castle at Windsor, where he could be more secure from any sudden popular attempt; of which he had reason to be very apprehensive, when, after those high acts of sedition at London and Westminster were declared to be according to the laws of the land and the Protestation lately taken, that Protestation
Jan. 20. was by a new order enjoined to be administered throughout the kingdom, and the names of all those who refused to take it, (which there was reason to believe many would upon the new gloss,) returned to the House of Commons, who were as severe inquisitors as could be found any where.

Jan. 13. 211. From thence he sent a message to both Houses, 'That he took notice that his proceedings against those persons whom he had accused (naming them) were conceived by many to be illegal and not agreeable to the privileges of the Parliament; and that he was so desirous to give satisfaction to all men in all matters that might seem to have relation to privilege of Parliament that he would waive his former proceedings; and all doubts being by that means settled, when the minds of men were composed, he would proceed against them in an unquestionable way; and assures both Houses that upon all occasions he would be as careful of their privileges as of his
Jan. 14. life or his crown.' To which he added, that 'in all his proceedings against those persons he had never the least intention of violating the least privilege of Parliament; and in case any doubt of breach of privilege remained, he would be willing to assert it by any reasonable way his Parliament should advise him to. And therefore he desired them forthwith to lay by all jealousies, and apply themselves to the public and pressing

affairs, and especially to those of Ireland, wherein the good of 1642
the kingdom and the true religion, which should ever be his first care, were so highly and so nearly concerned. And he desired them that his care of their privileges might increase their care of his lawful prerogative, which was so necessary to the mutual defence of each other, and both would be the foundation of a perpetual perfect intelligence between his majesty and Parliaments, and of the happiness and prosperity of his people.'

212. But these messages were not such as they looked for; there was still left a courage for prosecution, and though the error in form seemed to be consented to, yet the substance and matter of the accusation might be still insisted on; and therefore they took no notice of them, but proceeded in inflaming all men with the sense of the breach of privilege. And, finding the general mettle somewhat to abate, and that they might keep up the apprehension of danger and the estimation of their darling the city, they consult about adjourning both Houses into London; but finding some danger of infringing the Act of Parliament, from whence some advantage might be taken to their prejudice, till that power might be cleared by a law they were contented to adjourn their Houses, as they had done, for some days[1], and to appoint committees, qualified with more power than the Houses had, to meet in London; which, for the conveniency of the Common Council who took up the Guildhall, chose to sit in Grocers' hall.

213. It was wondered, having all places so much at their devotion, that they would remove from their more convenient seats at Westminster, where they might transact whatsoever they desired without interruption, and where they were only disturbed by their own direction. But the advantage they reaped by it was extraordinary; for, besides the fears they dispersed abroad, and the confidence they gave their own friends of the city by being with them, they were sure, for the most part, to have a committee to their own hearts' desire; for, besides that many out of laziness and indignation would

[1] [From Monday Jan. 17 to Thursday Jan. 20, and then from Jan. 20 to Jan. 24.]

1642 not attend the service in so unnatural a place, very many who troubled them most in their counsels durst not in earnest go thither, for fear of uncomely affronts, if not danger, their names being published in the tumults as disaffected persons; and [they] were those, indeed, which constituted the malignant party which they prayed against: and they found it much easier to transact any thing contrived and framed by such a committee than originally offered and debated in either House, before the mystery was understood by their proselytes, and when those who too well understood it did render their designs sometimes ineffectual.

214[1]. The minds of men throughout the kingdom being now prepared to receive all their dictates with reverence, and to obey all their orders, and to believe that all their safety consisted in and depended upon their authority, and there being few within the House who had courage to oppose and contradict
Jan. 13. them, they sent to the Lords to quicken them in the bill they had formerly sent to them concerning removing the bishops out of their House; which now, when there were so many of them removed into the Tower, they presumed would not meet with so great an opposition. In the House of Commons they called to have the bill read which had lain so long there, the same that had been brought in by St. John, for the settling the
Jan. 20. militia of the kingdom; to which they now added 'the putting all the forts, castles, and garrisons into the hands of such persons as they could confide in;' which was the expression they used when they had a mind to remove any man from a place of which he was justly possessed, 'that they could not confide in him,' which they thought to be reason enough to displace any
1641. man. When it had been with much ado accepted and first
July 19. read, there were few men who imagined it would ever receive further countenance: but now there were very few who did not believe it to be a very necessary provision for the peace and safety of the kingdom, so great an impression had the late proceedings made upon them; so that with little opposition it passed the Commons and was sent up to the Lords.

[1] [§§ 214–216 are from the *Life*, p. 147.]

215. Upon the disbanding the late army in the north all the 1642
artillery, arms, and ammunition, that was provided for that service had been by the King's command sent to Hull, where it still remained; and his majesty intended it should be kept there, for a magazine upon all occasions. And he had a little before these late passages sent the earl of Newcastle thither [1], with a private commission to be governor thereof as soon as it Jan. 11.
should be fit to publish such a command, and in the mean time by his own interest to draw in such of the country as was necessary to guard the magazine. But nothing the King did in the most private manner but was quickly known to those from whom it should most have been concealed. And so the earl of Newcastle was no sooner gone but notice was taken of it; and he had not been three days in Hull before the House of Jan. 20.
Peers sent for him to attend the service of that House, which he had rarely used to do, being for the most part at Richmond, attending upon the Prince of Wales, whose governor he was. He made no haste to return upon the summons of the House, but sent to the King to know his pleasure, who, not thinking matters yet ripe enough to make any such declaration, appointed him to come away; upon which he appeared in the House, without being asked where he had been.

216. But both Houses shortly after moved the King, 'that April 9 [2].
the magazine at Hull might be removed to the Tower of London, which would be very necessary for the quieting the minds of that country, and abating the fears and jealousies in the hearts of very many who did apprehend some design in the keeping so much ammunition in those northern parts:' and his
majesty not giving them a speedy answer, they sent down sir Jan. 11.
John Hotham, whose estate lay within three or four miles of Hull, and had some command of the train-bands, to be governor thereof, and to draw in such of the country as he thought fit for the security of the place. And though Hotham had con-

[1] [He arrived there Jan. 16: *Lords' Journals*, IV. 526.]

[2] [This is the date on which the two Houses finally agreed to petition the King for removal of the magazine from Hull, but not in the terms here apparently quoted, and the King's answer was read on Apr. 16. See bk. V. 53.]

1642 curred with them in all their violent ways, yet they well knew that he was not possessed with their principles in any degree, but was very well affected in his judgment to the government both in Church and State, but had been first engaged by his particular malice against the earl of Strafford, and afterwards terrified by their votes against shrieves and deputy lieutenants; and therefore they sent his son, a member likewise of the House, and in whom they most confided, to assist him in that service, or rather to be a spy upon his father. And this was the first essay they made of their sovereign power of the militia and the forts, whilst their bill was yet depending, and was a sufficient manifestation what they intended to do when it should be passed; towards which they made all the haste they could, exercising the King's patience every day with some unsavoury message to him upon their privileges, and requiring vindication and reparation, and discovery of the persons who had promoted that prosecution; and the Council once a week attending upon his majesty at Windsor, though he could not consult them upon what most concerned him.

217[1]. In this sad condition was the King at Windsor, fallen in ten days from a height and greatness that his enemies feared to such a lowness that his own servants durst hardly avow the waiting on him. For though it is true the acts of the House of Commons, and the tumults, were as great affronts to majesty before this last act upon the members as any that could be imagined possible to succeed, yet the House of Peers was well disposed, and might have been managed, with a little patience, to have blasted all the extravagances of the Commons. And the truth is, the greatest extravagances appeared to the standers-by to be but the attempts of persons in despair, and the strong accents of men at the last gasp. And, without doubt, if the King could but have had the patience to have sat still, a spectator of the dissensions between the two Houses, and encouraging the Lords who were firm to him, and putting those matters in issue wherein the Commons had invaded both his and the Lords' privileges; if he had commanded his counsel at

[1] [§§ 217–292 from the MS. of the *Hist.*, pp. 113–128.]

law and the judges to have proceeded by the strict rules of the 1642
law against seditious persons at large, for preaching and printing against the peace of the kingdom, and put the Commons' House either to have been quiet whilst their champions were exemplarily punished, (which would have put a speedy end to their license,) or to have appeared the champions for an infamous act against the law and justice of the kingdom, their jurisdiction would in a short time have been brought within the due limits, and the stoutest factor for the violent party been glad to have compounded for an Act of Oblivion.

218. And I have heard from credible persons that the chief of that faction afterwards confessed that, if that extraordinary accident had not happened to give them new credit and reputation, they were sinking under the weight of the expectation of those whom they had deluded and the envy of those whom they had oppressed. I am sure, they who, out of conscience and loyalty to their king and country, diligently attended the public service, were strangely surprised at the matter and manner of that accusation, and foresaw, from the minute, the infinite disadvantage it would bring to the King's affairs. Not that they thought the gentlemen accused less guilty; for their extreme dishonest arts in the House were so visible that nothing could have been laid to their charge incredible: but the going through with it was a matter of so great difficulty and concernment that every circumstance ought to have been fully deliberated, and the several parts dispensed into such hands as would not have shaken in the execution. And the saying that the King had not competent persons enough whom he might trust in so important a secret, (which I believe was true,) is only an argument that the thing was not to be attempted at all than that it was to be attempted in that manner; for whoever would have betrayed the trust would be sure to find fault with it when it was endeavoured without him, especially if it miscarried. The truth is, there was little reason to believe that the House of Peers would commit the lord Mandevill upon the accusation of Mr. Attorney in that conjuncture of time; and less that the House of Commons would deliver up their mem-

1642 bers to the sergeant-at-arms when they should be demanded; which was an irregular thing, and implied unreasonably that they had some power to keep them who were desired to deliver them. Yet if the choice had been better made, and the several persons first apprehended and put into distinct close custodies, that neither any body else should have heard from them nor they one from another, all which had not been very difficult, the high spirit of both Houses might possibly have been so dejected that they might have been treated withal. But even that attempt had been too great for the solitary estate the King was at that time in; which was most naturally to have been improved by standing upon his guard, and denying all that was in his power to deny, and in compelling his ministers to execute the law in those cases that demonstrably concerned the public peace.

219. The committee at Grocers' hall, very exalted to find no opposition in any thing they desired from both Houses, resolved to make what advantage they could of that season of their power; and therefore, not vouchsafing to return any answer to
Feb. 19. the King's messages of retractation, they concluded upon a new Remonstrance to be made of the state of the kingdom, in which they would present to the King's view the causes of the present evils and distractions, and propose to him, by way of advice, the remedies that in their opinion he was to apply to those evils.

220. The causes they agreed to be—

'the evil council about the King and Queen, disposing all occurrences of state, and abusing the King's power and authority to the prejudice of religion, the hazarding the public peace, and strengthening a malignant party in the kingdom; the influence which the priests and Jesuits had upon the affections and counsels of the Queen, and the admission of her majesty to intermeddle with the great affairs of state and with the disposing places and preferments of the highest concernment in the kingdom; whereby those of great power and authority were engaged to favour such designs as were infused into her majesty by those of that religion: the want of a due reformation of the church-government and liturgy then used; the want of a preaching ministry and a competent maintenance for them; the over-strict pressing of divers ceremonies in the liturgy and rubrick, and the pressing other ceremonies not enjoined by law; the votes of the Popish lords in the House of Peers, which was a hinderance of the reformation and a protection of the malignant party; the preferring

such who had adhered to delinquents, and the displeasure shewed against 1642
those who had been used as witnesses in the prosecution of them; the breaches of the privilege of Parliament, and the managing the great affairs of the realm in cabinet councils by men unknown and not publicly trusted; the preferring men to degrees of honour and offices, and displacing others, in Parliament time, and without the consent of that council;' and many other particulars.

221. To which they thought these remedies most natural, and proper to be applied:—

'That all Privy Councillors, and others of trust and employment beyond the seas, should be removed from their places, and only such admitted as should be recommended to the King by both Houses of Parliament; and that such councillors and officers as should be so displaced, and not again recommended, should not have access to the courts of the King and Queen: that all priests, Papists, and ill-affected persons though professing the Protestant religion, should be removed from the Queen's person and from having any office or employment under her, and that all her servants should take such an oath as should be devised by Parliament, that he or she would not at any time, directly or indirectly, by him or herself or any other, move or petition or solicit her majesty in any matter concerning the state and government of the kingdom, or concerning any favour or immunity to be conferred upon any Papists, or for any honour, preferment, or employment of any person whatsoever.

222. 'That the King would remove from about his own person, and the Queen, and from both their courts, Mr. William Murray, Mr. Porter, sir John Winter, and Mr. William Crofts, being all persons of evil fame, and disaffected to the public peace and prosperity of the kingdom, and instruments of jealousy and discontent between the King and the Parliament, &c. That the King would not entertain any advice or mediation from the Queen in matters of religion, or concerning the government of any of his dominions, or for the placing or displacing of any great officers, councillors, ambassadors, or agents beyond the seas, or any of his servants attending his royal person, either in his bed-chamber or privy-chamber, or attending the Prince, or any of the royal issue after they shall attain to the age of five years.

223. 'That the Queen should take a solemn oath, in the presence of both Houses of Parliament, that she would not hereafter give any counsel, or use any mediation, to the King, concerning the disposing of any offices or places above mentioned, or at all intermeddle in any of the affairs of state or government of the kingdom. That all officers and councillors, that should be employed in any of the places before mentioned, should take a solemn oath that they had not made use of any power or mediation of the Queen, directly or indirectly, for their preferment, or in obtaining any such place or employment. That the affairs of the kingdom should not be concluded or transacted by the advice of private men, or by any unknown or unsworn councillors, but such matters as were fit for the Council, by the Privy Councillors only, and such as were fit for the Parliament, by the Parliament only.

224. 'That no person whatsoever, under the penalty of treason, should presume to solicit, or further any proposition for, the marriage of any

1642 of the King's children with any prince or person of the Popish religion; and that no marriage for any of the King's children should be concluded with any prince or person whatsoever without the consent and advice of both Houses of Parliament. That none of the King's children, except the princess Mary then affianced, should at any time go beyond the seas without the consent of both Houses of Parliament; and that no person, under the penalty of high treason, should assist or attend any of his majesty's children in any such voyage beyond the seas without the like consent of both the Houses of Parliament.

225. 'That no mass, or popish service, should be said in the courts of the King or Queen, or in the house of any subject in the kingdom; and that more laws should be made against the Papists, and all the priests which were condemned should be forthwith executed. That the votes of popish lords might be taken away; and a reformation [made] of the church-government and liturgy by the Parliament, and that no penalty should be incurred for omission of any ceremony till the reformation should be perfect. That all delinquents should be subject to such penalties and forfeitures as should be agreed on, and imposed by bill, in both Houses of Parliament: that such as should be declared in Parliament to adhere to any delinquents, and had thereupon received any preferment from the King, should be removed from such preferment; and such as should be declared by both Houses to have been employed and used against delinquents, and had thereupon fallen into the King's displeasure and been put from their places, should be restored to their places and his majesty's favour.

226. 'That every person who, being a member of the House of Commons in that Parliament, had been accused of any offence against that House, and, the accusation depending, had been called up to the House of Lords in the quality of a peer, should by Act of Parliament be put out of that House; and that hereafter no member of the House of Commons should without their consent be called up to be a peer, except in case of descent. That no person which should hereafter be made a peer of the realm should be admitted to have his seat or vote in the House of Peers without the consent of both Houses of Parliament. That those members of the House of Commons who had this Parliament been called to the House of Peers, except in case of descent, should be excluded from giving their votes in the House of Peers unless both Houses of Parliament should assent thereunto. That no member of either House of Parliament should be preferred or displaced, sitting the Parliament, without the consent of that House whereof he was a member. That such of either House as had been preferred to any place or office during the Parliament might be put out of those offices and places.

227. 'That the King would declare the names of those who advised him to the accusation of the members, and all the particulars that ensued upon that accusation; and that he would make public declaration and promise in Parliament never more to receive information from any man to the prejudice of any member of either House for any thing done in that House, without discovering the name of such person who gave him such information.'

228. These, and many other particulars of a like nature,

were the results of that committee at Grocers' hall; which 1642
I insert here, (being the proper time of their birth,) that the world may see what their projections were in the infancy of their visible power and advantage, though they were not digested into avowed propositions till long after, as the effects of riper divisions and fuller grown jealousies. For by that time they had shaped and formed these devices, they found the eyes of the people not to be so universally shut as they had been, and that the King's coming to the House of Commons, or the accusing the members, was not more spoken of than the tumults, and the driving the King out of London and not suffering him to be quiet at Hampton Court; then, that the Lords began to take new courage, and though they were somewhat intoxicated with the matter of privilege yet that they thought it a trespass capable of reparation, and so were willing to receive any overture from the King to that purpose. They concluded, therefore, the time was not yet ripe to do all at once till more men were engaged, and resolved with more patience to win their ground by inches.

229. The King continued at Windsor to expect the end, or the issue, of this tempest; and finding that they hardly would take notice of his former messages, but proceeded in the high ways of destruction, (for he had advertisement of their most secret combinations,) resolved to send such a message to the two Houses, whose united reputation was yet too great to struggle with, as might at least divide those who desired the public peace from the ministers of confusion: and so on the twentieth of January sent this proposition and message to Jan. 20.
them in writing, 'for preventing those evils which the manifold distractions threatened to the kingdom, that they would with all speed fall into a serious consideration of all those particulars which they held necessary, as well for the upholding and maintaining the King's just and regal authority and the settling his revenue, as for the present and future establishment of their privileges, the free and quiet enjoying of their estates and fortunes, the liberties of their persons, the security of the true religion now professed in the Church of England, and the settling

1642 of ceremonies in such a manner as might take away all just offence; which when they should have digested, and composed into one entire body, that so his majesty and themselves might be able to make the more clear judgment of them, it should then appear by what his majesty would do how far he had been from intending or designing any of those things which the too great fears and jealousies of some persons seemed to apprehend, and how ready he would be to equal and exceed the greatest examples of the most indulgent princes in their acts of grace and favour to their people; so that, if all the present distractions, (which so apparently threatened the ruin of the kingdom) did not, by the blessing of Almighty God, end in a happy and blessed accommodation, his majesty would then be ready to call heaven and earth, God and man, to witness that it had not failed on his part.'

230. This message was received by the Lords with great signs of joy, insomuch that they desired the Commons to join with them in returning their joint thanks to his majesty for his gracious offer, and to assure him that they would forthwith apply themselves to those considerations he proposed. However, the next day[1] they joined together in a petition to the King, 'that he would within very few days send in his proofs, and proceed against the members he had accused of high treason, or declare them to be innocent and himself to be ill advised;' to the which he answered, 'that he was ready to proceed against them; but, that there might be no new mistakes in the way and form of the proceeding, he desired that it might be first resolved, whether his majesty were bound in respect of privileges to proceed against them by impeachment in Parliament, or whether he were at liberty to prefer an indictment at common law in the usual way, or whether he had his choice of either: before that was resolved, his majesty thought it unusual and unfit to discover what proof he had against them; but then, he would give such speedy direction for prosecution as might put a determination to the business.'

231. This gave them new offence and trouble; and if the

[1] [The same day. It was presented to the King on the next day, Jan. 21.]

King's Council had had the courage to have insisted upon the matter of law, and the Lords would have given them reasonable countenance, they would have been much puzzled to have procured a resolution that would have served their purposes to all parts, and been contented to have suspended their judgment that so the King might have suspended his prosecution. For if the judges had been compelled to deliver their opinions in point of law, (which they ought to have been,) they could not have avoided the declaring that, by the known law, (which had been confessed in all times and ages,) no privilege of Parliament could extend in the case of treason; but that every parliament-man was then in the condition of every other subject, and to be proceeded against accordingly. In the next place, as they would never have ventured themselves upon the House of Peers under an impeachment, and thereby made them their judges, which indeed was incongruous, every subject being to be tried for his life *per pares* and *per legem terræ*, to both which the Lords and the impeachment [were [1]] directly opposite; so they would less have trusted an indictment at law, and a well-chosen sober jury, who had been bound to follow their evidence of fact, and were not judges of the law, which was severe in any conspiracy against the Crown or the persons of King or Queen. 1642

232. But having shut the doors against any mention of law, they made no scruple of resolving, and answering his majesty, 'that they were first to see the evidence he had to prove the guilt before they could give any direction for the manner of the prosecution and proceeding;' which they grounded upon a maxim they had established three or four days before, though never till then heard of, 'that no member of Parliament for what offence soever, could be arrested, or proceeded against, but by the consent of that House of which he was a member;' and then,' they said, 'they could not give or deny their consent by any other measure than the knowledge of the crime and proof upon which such member stood accused.' Which conclusion had been reasonable if the assumption had been just; Jan. 21. Jan. 12.

[1] ['was,' MS.]

1642 whereas the argument was to be inverted, that their consent was not to be asked because they had no conusance of the crime of which their members were accused, nor were judges whether their accusation were valid in law or sufficiently proved in fact.

233. It is not to be believed how many sober, well-minded men, who were real lovers of the peace of the kingdom, and had the known laws in full submission and reverence, were imposed upon, and had their understandings confounded, and so their wills perverted, by the mere mention of *privilege of Parliament*; which, from the most defined, limited notion, by the dexterity of those *boutefeus* and their under-agents of the law, and the supine sottishness of the people, was rendered such a mystery as could be only explained by themselves, and extended as far as they found necessary for their occasions, and was to be acknowledged a good reason for any thing that no other reason could be given for. 'We are,' say they, 'and have been always confessed, the only judges of our own privileges; and therefore whatsoever we declare to be our privilege is such: otherwise, whosoever determines that it is not so, makes himself judge of that whereof the conusance only belongs to us.' And this sophistical riddle hath perplexed many, who, notwithstanding the desperate consequence they saw must result from such logic, taking the first proposition for true, (which being rightly understood is so,) have not been able to wind themselves out of the labyrinth of the conclusion. I say, the proposition rightly understood, 'they are the only judges of their own privileges;' that is, upon the breach of those privileges which the law hath declared to be their own, and what punishment is to be inflicted upon such breach. But there can be no privilege of which the law doth not take notice, and which is not pleadable by and at law.

234. The truth and clearness of this will best appear by instance. If I am arrested by process out of any court, I am to plead in that court that I am a member of Parliament, and that by the privilege of Parliament my person ought to be free from arrests. Upon this plea the judge is bound to discharge

me; and if he does not, he is criminous, as for any other trespass against the law: but the punishing the person who hath made this infringement is not within his power, but proper to that jurisdiction against which the contempt is; therefore that House of which I am a member, upon complaint made of such an arrest, usually sends for the persons culpable, the party at whose suit the arrest is made, and the officers which executed it, and commits them to prison till they make acknowledgment of their offence. But that House never sends (at least never did till this Parliament) any order to the court out of which the process issued to stay the proceedings at law, because the privilege ought [to] be legally pleaded. So, after the dissolution of Parliament, if I am arrested within the days of privilege, upon my plea of privilege the court discharges me; but then the party that arrests me scapes punishment till the next Parliament, the judge having no more power to commit the man that sued or arrested me than he hath to imprison a man for bringing an action at law when he hath no good title; neither is he judge of the contempt. 1642

235. Again: If a man brings an information or an action of the case for words spoken by me, and I plead that the words were spoken by me in Parliament when I was a member there, and that it is against the privilege of Parliament that I should be impleaded in any other place for the words I spake there, I ought to be discharged from this action or information, because this privilege is known, and pleadable at law: but that judge can neither punish or examine the breach of privilege or censure the contempt. And this is the true and proper meaning of the old received axiom that they are judges only of their own privileges.

236. And indeed these two, of freedom from arrests for their persons, (which originally hath not been of that latitude to make a Parliament a sanctuary for bankrupts, when any person outlawed hath been declared incapable of being returned thither a member,) and of liberty of speech, were accounted their chiefest, if not their only, privileges of Parliament: for their other, of access to the King and correspondence by

1642 conference with the Lords, are rather of the essence of their councils than privileges belonging to it. But that their being judges of their privileges should qualify them to make new privileges, or that their judgment should create them such, as it was a doctrine never before now heard of, so it could not but produce all those monstrous effects we have seen; when they have assumed to swallow all the rights and prerogative of the Crown, the liberties and lands of the Church, the power and jurisdictions of the Peers, in a word, the religion, laws, and liberties of England, in the bottomless and insatiable gulph of their own privileges; and no doubt will determine this digression to be the most unparalleled and capital breach of those privileges which hath been yet attempted to be made.

Jan. 20. 237. In the address which the House of Commons prepared for acknowledgment of the King's grace and favour in his message of the twentieth of January, they had desired, 'that for a ground of their confidence, and removal of jealousies, that they might apply themselves to give his majesty satisfaction in the method he proposed, his majesty would presently put the Tower of London into the hands of such a person as both Jan. 24. Houses should recommend to him:' in which the Lords differed with them, as well for that the disposal of the custody thereof was the King's peculiar right and prerogative, as likewise that his majesty had committed the charge thereof to sir John Byron, a person of a very ancient family, an honourable extraction, good fortune, and as unblemished a reputation as any gentleman of England.

238. The Commons, much troubled that the Lords should again take the courage to dissent from them in any thing, resolved to press the King upon their own score, and to get the recommendation of so great an officer to themselves. And Jan. 26. therefore on the six and twentieth day of January they sent a petition to him in the name of the knights, citizens, and Jan. 25. burgesses of the Commons' House assembled in Parliament; in which they took notice 'of the gracious message from his majesty of the twentieth instant, for which they returned most humble thanks, resolving to take it into speedy and serious

consideration;' and said, 'to enable them with security to 1642
discharge their duties therein, they had desired the House of Peers to join with them in humbly beseeching his majesty to raise up unto them a sure ground of safety and confidence, by putting the Tower and other principal forts of the kingdom, and the whole militia thereof, into the hands of such persons as his Parliament might confide in, and as should be recommended unto him by both Houses of Parliament; that, all fears and jealousies being laid aside, they might with cheerfulness proceed to such resolutions as they hoped [would[1]] lay a sure foundation of honour, greatness, and glory to his majesty, and his royal posterity, and of happiness and prosperity unto his subjects throughout all his dominions; wherein the House of Peers had refused to join with them. But they, notwithstanding, no way discouraged, but confiding in his majesty's goodness to his people, did therefore make their humble address to him, to beseech him that the Tower of London and other principal forts, and the whole militia of the kingdom, might be put into the hands of such persons as should be recommended to him by the House of Commons; not doubting but they should receive a gracious and speedy answer to that their humble desire, without which, in all human reason, the great distractions of the kingdom must needs overwhelm it with misery and ruin.'

239. The King was not troubled at the receipt of this petition, glad that, since they could not be brought to such a degree of reasonableness as might make up all breaches, they would be so peremptorily unreasonable as might probably sever those from them who were not as desperate as themselves; and he hoped that when the people should observe that this grasping of the militia of the kingdom into their own hands, as an expedient for the composing their high-grown fears and jealousies, was no more than they desired the summer before, when sir Arthur Haslerigg brought in his bill into the House of Commons which is before remembered[2], when that title of 'fears and jealousies' was not discovered; and when the Peers

[1] ['to,' MS.; 'would,' *Commons' Journals.*] [2] [See book iii. § 244.]

1642 should observe that the House of Commons insolently demanded by their own single suffrage the deputing men to that prodigious trust; they would both conclude that those immodest askers were not only fit to be denied but reformed. Yet, believing that real and just fears would grow up to discountenance
Jan. 28. and suppress those imaginary ones, his majesty vouchsafed a very soft and dispassioned answer to that petition; and told them that

'he hoped his gracious message would have produced some such overture, as, by offering what was fit on their parts to do, and by asking what was proper for him to grant, might have begot a mutual confidence on each other. Concerning the Tower of London, that he did not expect, having preferred a person of a known fortune and unquestionable reputation to that trust, that he should have been pressed to remove him without any particular charge objected against him: however, that if, upon due examination, any particular should be presented to him whereby it might appear he was mistaken in his good opinion of that gentleman, and that he was unfit for the trust committed to him, he would make no scruple of discharging him; otherwise, he was obliged, in justice to himself, to preserve his own work, lest his favour and good opinion might prove a disadvantage and misfortune to his servants, without any other accusation; of which he hoped his House of Commons would be so tender, (as of a business wherein his honour was much concerned,) as, if they found no material exceptions against that person, they would rather endeavour to satisfy and reform the fears of other men, than, by complying with them, press his majesty to any thing which did so much reflect upon his honour and justice.

240. 'For the forts and castles of the kingdom, that he was resolved they should always be in such hands, and only in such, as the Parliament might safely confide in; but the nomination of any persons to those places, (being so principal and inseparable a flower of his crown, vested in him, and derived to him from his ancestors, by the fundamental laws of the kingdom,) he would reserve to himself; in bestowing whereof, as he would take care that no corrupt or sinister courses should prevail with him, so he was willing to declare that he should not be induced to express that favour so soon to any persons as to those whose good demeanour should be eminent in or to his Parliament. And if he then had, or should at any time, by misinformation confer such a trust upon an undeserving person, he was, and would always be, ready to leave him to the wisdom and justice of his Parliament.

241. 'For the militia of the kingdom (which by the law was subject to no command but of his majesty, and of authority lawfully derived from him)' he said, 'when any particular course for ordering the same should be considered and digested, and proposed to him, he would return such an answer as should be agreeable to his honour and the safety of his people, he being resolved only to deny those things the granting whereof would alter the fundamental laws, and endanger the very foundation upon which the

public happiness and welfare of his people was founded and constituted, and **1642**
which would nourish a greater and more destructive jealousy between the Crown and the subject than any of those which would seem to be taken away by such a satisfaction.'

242. He said, 'he was not willing to doubt that his having granted more than ever king had granted would persuade them to ask more than ever subjects had asked: but if they should acquaint him with the particular grounds of their doubts and their fears, he would very willingly apply remedies proportionable to those fears; for he called God to witness, that the preservation of the public peace, the law, and the liberty of the subject, was, and should always be, as much his care and industry as of his life or the lives of his dearest children.

243. 'And therefore he did conjure them by all the acts of favour they had received from him this Parliament, by their hopes of future happiness in his majesty and in one another, by their love of religion, and the peace of the kingdom, in which,' he said, 'that of Ireland was included, that they would not be transported by jealousies, and apprehensions of possible dangers, to put themselves or his majesty into real and present inconveniences; but that they would speedily pursue the way proposed by his former message, which, in human reason, was the only way to compose the distractions of the kingdom, and, with God's blessing, would restore a great measure of felicity to King and people.'

244. This answer being not only a denial, but such an expostulation as would render their counsels of less reverence to the people, if upon those reasons they should recede from what they had with that confidence, and disdain of the House of Peers, demanded of the King, therefore[1] they resolved to set up their rest upon that stake, and to go through with it or perish in the attempt. And to this purpose they again muster up their friends in the city, and send their emissaries abroad to teach the people a new language. All petitions must now desire 'that the kingdom might be put into a posture of defence, and nothing else would serve to defend them from the many plots and conspiracies against them, or secure them from their own fears and jealousies.' More petitions [were[2]] presented to the House of Commons by some citizens of London, in the name of those merchants that usually traded to the Mint with bullion; who pretended 'that their fears and jealousies were so great that they durst not carry their bullion to the town, being not satisfied with the present lieutenant of the Tower; and therefore desired that he might be removed;' and

[1] ['and therefore,' MS.]

[2] ['was,' MS.]

1642 to that purpose; whereas in truth there was at that time, and from the time that that gentleman was lieutenant, more bullion brought in to be coined than in the same time for seven years before; neither was there one man of those who subscribed that petition who ever brought pound weight of bullion to the Mint in his life[1]. So that these cheats were too gross to do their business by, and they were quickly supplied with more powerful arguments.

245. They had wholly undertaken the managing of the war in Ireland, and really, for many reasons, neither did use, nor desired to use, any great expedition in that work; yet, having with great industry infused into the minds of the people at least a suspicion that the Court favoured that rebellion, they always made use of the slowness in those proceedings to the Jan. 22. King's disadvantage. About that time they had desired the city to furnish them with one hundred thousand pounds for the levying and accommodating forces to be sent into that kingdom, which gave the Common Council, (where such loans were Jan. 25. always transacted,) opportunity to return their opinions and advice upon the general state of affairs. They said,

'they could lend no more money by reason of those obstructions which threatened the peace of this kingdom, and had already rendered that even desperate[2]: that the not passing the bill for pressing of soldiers,' (which still depended with the Lords, upon those reasons formerly mentioned at large) 'put many men into fears that there was some design rather to lose that kingdom, and to consume this in the loss of it, than to preserve either the one or the other; and that the rebels were grown so strong there that they made account speedily to extirp[3] the British nation in that kingdom, and that they intended then, as they already bragged, to come over and make this the seat of the war.

246. 'That the not putting the forts into such hands in whom the Parliament might confide, the not settling the kingdom into a posture of defence, the not removing the present lieutenant of the Tower and putting such a person into that place as might be well approved by the Parliament, could not but overthrow trading more and more, and make moneys yet more scarce in the city and kingdom. That the misunderstand-

[1] [The lines 'whereas in truth—life' are struck out in the MS., probably because they are only a repetition of a passage from the *Life* in § 183.]

[2] ['and—desperate.' These words are not in the copy of the answer of the city, printed, with Pym's speech to the Lords on Jan. 25, by R. Oulton and G. Dexter, 1641.]

[3] ['extirpate'; *ibid.*]

ing between the King and Parliament, the not vindicating the privileges thereof, the charging some members with treason, to the deterring of others from discharging their duties and to the destroying the very being of Parliament, did exceedingly fill the minds of men well affected to the public with many fears and discouragements, and so disable them from yielding that cheerful assistance which they would be glad to afford. That by means of these there was such a decay of trading, and such scarcity of money, (neither of which could be cured till the former evils were removed,) as it was like in very short time to cast innumerable multitudes of poor artificers into such a depth of poverty and extremity as might enforce them upon some dangerous and desperate attempts, not fit to be expressed, much less to be justified; which they left to the House speedily to consider and prevent. These evils, under which they did exceedingly labour and languish,' they said, 'did spring from the employing of ill affected persons in places of trust and honour in the State, and near to the person of the King; and that they were still continued by means of the votes of bishops and popish lords in the House of Peers. And so having faithfully represented,' they said, 'the true reasons which really enforced them to return that answer, they craved leave to protest before God and the high court of Parliament that if any further miseries befell their dear brethren in Ireland, or if any mischieve should break in upon this kingdom, to the endangering or disturbing thereof, it ought not to be imputed to them, but only to such who should endeavour to hinder the effectual and speedy cure of those evils before recited, which did so much disable and discourage them from doing that which the House had desired of them.' 1642

247. At the same time were presented other petitions, subscribed by many thousand hands, and in the names of the knights, gentlemen, and freeholders, and other inhabitants, of the counties of Middlesex, Essex, and Hartford: all which severally inveighed against the malignant party, which rendered the good endeavours of the House of Commons fruitless; desired that the votes of the bishops and popish lords might be taken out of the House of Peers; that they might be put into a posture of defence, and the forts and castles of the kingdom into such hands as the Parliament might confide in; that so Ireland might be relieved, and this kingdom made happy, one of them[1] adding, 'that the malignant party of prelates and papists and their adherents were inconsistent with the happy success of the Parliament.' These petitions, and the answer of the Common Council of London, were thought ample materials for a conference with the Lords, who might be thereby remem- Jan. 24, 25, 20.

[1] [The Hertfordshire petition; *Lords' Journals*, IV. 540.]

1642 Jan. 26. bered of their duty; and to that purpose Mr. Pim delivered them at a conference, and, after they were read, told them that

'their lordships might in those petitions hear the voice, or rather the cry, of all England; and that they were not to wonder if the urgency, the extremity, of the condition we were all in, did produce some earnestness and vehemency of expression more than ordinary; the agony, terror, and perplexity in which the kingdom laboured was universal, all parts were affected with it; and therefore in those petitions they might observe the groans and miserable complaints of all.'

After a long discourse of the great and notorious dangers the kingdom was in by invasions threatened from abroad and insurrections from within, he told them,

'the obstructions that had brought them into that distemper were principally,—The obstruction of reformation in matters of religion, and that there was never Church or State afflicted with more grievances of that kind than we had been; and that though they were partly eased and diminished by the wisdom of the Parliament, yet many still remained; and as long as the bishops and the corrupt part of the clergy continued in their power, there would be little hope of freedom either from the sense of those that continued or the fear of those which were removed. And of that obstruction,' he said, 'he must clear the Commons, who were in no part guilty of it. Some good bills they had already passed, and others were in preparation, and might have been passed before that time if they had not found such ill success in the other. Whatsoever mischieve that obstruction should produce, they were free from it; they might have their part of the misery, they could have none in the guilt or dishonour.'

248. He told them, 'There was a great obstruction in trade which brought food and nourishment to the kingdom;' and then, having enlarged himself with enumeration of the notable benefits the kingdom received by the fulness of trade, he said, 'he must protest the House of Commons had given no cause to that obstruction: they had eased trade of many burdens and heavy taxes, and had freed it from many hard restraints by patents and monopolies; they had sought to put the merchants into security and confidence in respect of the Tower of London, that so they might be invited to bring in their bullion to the Mint as heretofore they had done; they were no way guilty of the troubles, the fears, and public dangers, which made men withdraw their stocks, and keep their money by them, to be ready for such sudden exigents as in those great distractions they had too much cause to expect.

249. 'There was an obstruction,' he said, 'in the relief of Ireland; but he must declare the Commons were altogether innocent of any neglect therein; they had agreed to the levies of men and money, and from time to time done all for the furtherance thereof, though in [the] midst of many distractions and diversions; but the wants of commissions for levying men,' (that was, the bill for pressing) 'and divers other impediments, had been the causes of that obstruction. Nay,' he said, 'he did not only find impedi-

ments to themselves but encouragement to the rebels; for many of the chief commanders now in the head of the rebels, after both Houses had stopped the ports against all Irish Papists, had been suffered to pass by his majesty's immediate warrant, much to the discouragement of the Lords Justices and Council there, and were procured by some evil instruments too near his regal person, and, they believed, without his knowledge and intention.' 1642

250. He said, 'There was an obstruction in providing for the defence of the kingdom, that they might be enabled to resist a foreign enemy and to suppress all civil insurrections: what endeavour they had used to remove them, (but hitherto without that success and concurrence which they expected,) and where their stop had been, and upon what grounds they might proclaim their own innocency and faithfulness in that particular, they desired no other witnesses but their lordships.'

251. He told them, 'The evil influences which had caused that distemper, were, the evil counsels about the King, the great power that a factious and interested party had in Parliament by the continuance of the votes of the bishops and popish lords in their lordships' House, and the taking in of others out of the House of Commons and otherwise, to increase their strength; the fomenting a malignant party throughout the kingdom; the jealousies between the King and his Parliament.' And after many bitter and seditious expressions of the Court and of all those who were not of his mind, he concluded, 'that he had nothing to propose to their lordships by way of request or desire from the House of Commons; he doubted not but their judgments would tell them what was to be done; their consciences, their honours, their interests, would call upon them for the doing of it. The Commons would be glad to have their help and concurrence in saving of the kingdom; but if their lordships should fail, it should not discourage them in doing their duty. And whether the kingdom be lost or saved, they should be sorry that the story of this present Parliament should tell posterity that, in so great a danger and extremity, the House of Commons should be enforced to save the kingdom alone, and that the House of Peers should have no part in the honour of the preservation of it, they having so great an interest in the good success of those endeavours, in respect of their great estates and high degrees of nobility.'

252. As soon as this conference was ended, the Speaker of the House of Commons was appointed to give Mr. Pim solemn thanks for his so well performing that service, and to require him to deliver his speech in writing into the House, to the end it might be printed; which was done accordingly, to the end that the people might understand, besides those reproaches upon the King, how negligent the House of Peers were of their welfare and security.

253. The same day and hour after that conference[1], a great Jan. 25.

[1] [The day before the conference; *Lords' Journals*, IV. 535.]

1642 number of people, in the name of the inhabitants of the county of Hartford, presented a petition to the House of Peers; in which, amongst other particulars, they complained of 'the delay of putting the kingdom into a posture of war for their better defence, and the want of compliance by that honourable House with the House of Commons in entertaining those many good motions and passing those necessary bills presented to them from that House for the common good. And therefore they desired them, for the better removing of all the causes and springs of their fears and troubles, that the evil counsellors, and others hindering the public good, might be taken from his majesty, and the voting of the popish lords and bishops removed out of that honourable House: and that the petitioners, (who would be ever ready to hazard their lives and estates for the defence of the King and Parliament, the privileges of the same, and in special those noble lords and gentlemen in both Houses whose endeavours were for the public good,) might have liberty to protest against all those, as enemies to the kingdom, who refused to join with those honourable lords and the House of Commons for the putting the kingdom into a way of safety under the command of such persons as the Parliament should appoint.' But neither this nor any of the other proceedings were resented by the House of Peers, though their privileges were not only invaded but the very freedom and liberty of Parliament were absolutely taken away and destroyed thereby.

254. When the House of Commons found that none of these extraordinary ways would throughly subdue the House of Lords, but that, though they had very sturdy champions there, the major part, (albeit the bishops and all the recusant lords were driven from thence,) still opposed them, whereby neither the bill for the taking away the bishops' votes, nor for pressing, could pass, and that they peremptorily still refused to join in the business of the militia; they found a new way, as unpractised and as unnatural as any of the former, whereby they would be sure to have an influence upon the House of Peers. It is an old custom and privilege of that House that upon any solemn debate whosoever is not satisfied with the

conclusion and judgment of the House may demand leave to 1642
enter his protestation, which must be granted. The original of this was in jealous times, when men desired, for avoiding the ill consequence of any act there, that their dissents might appear; and was very seldom practised but when they conceived religion or the Crown trenched upon, insomuch as you shall not find in the journals of many Parliaments one protestation entered; and when there was any, there is no more in the records than, after the resolution of the House is entered, and the number of those that were *content* and *not content*, that 'such a lord desired that his protestation,' that is, his dissent, 'might be entered;' and oftentimes when ten have dissented from the general opinion, not above one hath entered his protestation. But since this Parliament, as they altered the custom from cases of high concernment to the most trivial debates, the minor part ordinarily entering their protestation to the end that their opinions might be taken notice [of,] and who were opposite to them, whereby the good and bad lords were known and published, so they altered the form, and, instead of short general entries, caused the matter of the debate to be summed up, and thereupon their protestation that they were not to be answerable for any inconveniences or mischieves that should befall the commonwealth by reason of this or that resolution. So that from an act for the particular indemnity of the person that made it, it grew to be a reproaching and arraigning the sense of the House by any factious number that disagreed. Then, because the House of Peers is a court of record, they concluded that 'any man upon any occasion might peruse their journals;' and so every night the House of Commons could see how the debates had been managed and carried all the day, and take public notice and make use of it accordingly, which they could not do of those discourses they received from the[ir] confidants; for supplying whereof this trick was most unjustifiably found out. For though it is a court of record, the highest court, and the acts and judgments of Parliaments are records to which the subject may upon all occasions resort, yet they have not liberty to examine or peruse their journal books, much less question

1642 any words spoken or act done and remembered there; of which if they are not the only judges, their privileges are much less than the Commons in truth have, and may justly claim.

Jan. 26. 255. It happened about this time that, upon some overture in the Lords' House which pleased them not, the violent party there, in a disorderly manner, cried out, *Adjourn, adjourn,* being not willing the matter should then come into debate; others were not willing that the House should adjourn. The duke of Richmond, troubled at that tumultuary and indirect proceeding, said, without directing himself to the Speaker, 'if they would adjourn, he wished it might be for six months,' or words to that effect; upon which some of the other party straight moved, 'that the House might not rise, and that the duke might explain himself, and answer the making such a motion as, being granted, would be destructive to the commonwealth.' The duke said, 'he made no motion, but used that expression to shew his dislike of the other motion to adjourn at that time when there was business in agitation of great concernment; and that, when he spoke, all men being upon their feet and out of their places,' he conceived the House had been up.' Upon this he was required to withdraw; and then they who had long looked upon him with great envy and animosity, as the only great person and officer at Court who had contemned their power and their stratagems, had with notable courage always opposed their extravagances and servile complying with the House of Commons and submitting to the tumults, and had with singular constancy preserved his duty and fidelity to his master unviolated, inveighed against the motion as of 'too serious a nature to be made a jest of, and fit to be censured as most pernicious to this kingdom and destructive to Ireland, the war whereof could not proceed if the Parliament should have adjourned for six months, as his lordship had proposed.'

256. On the other side, it was alleged that 'the motion had never been made to the House; and therefore they ought no more to question or take notice of it than of every light or frolic discourse or expression that negligently or casually fell from any man; which would take away all liberty of conversation. How-

ever, that if it had been seriously and formally made, it could be 1642
no crime, it being the necessary liberty and privilege of every member to make any motion he thought in his judgment fit, which the House would approve or reject as it found reasonable. And that since it was as much in the House's power to adjourn for six months as for six days, it was as lawful to move the one as the other; of which there could not be the least inconvenience, because the House would be sure to reject it if it were not found proper.' After a very fierce and eager debate, in which much bitterness and virulency was expressed, it was resolved by the major part, 'that the duke had committed no offence;' and so he was as regularly absolved as was possible. Hereupon the earls of Northumberland, Pembroke, Essex, Holland (who thought the duke's affection and duty to his master a reproach, and his interest prejudicial, to them,) with the rest of that party, entered their protestation; 'That, whereas such a motion had been made by the duke of Richmond, and upon being questioned for the same he had been acquitted by the major part, they were free from the mischieves or inconveniences which might attend the not punishment of an offence tending so much to the prejudice of king or kingdom.'

257. This protestation, by the advice of that night's meeting, was the next day taken notice of in the House of Commons, Jan. 27.
and the matter itself of the motion extended by all possible and rhetorical aggravations concerning the person and his interests, according to the license of that House and that people. It was said, 'here was an evil counsellor that had discovered himself, and no doubt had been the author of many of those evil counsels which had brought that trouble upon us; that he had received his education in Spain, and had been made a grandee of that kingdom, and had been ever since notoriously of that faction; that his sisters were Papists, and therefore his affection was to be questioned in religion; that from the beginning of this Parliament he had been opposite to all their proceedings, and was an enemy to reformation; that he had vehemently opposed the attainder of the earl of Strafford; was a friend to bishops; and

1642 now, to prevent any possibility of reformation, which could not be effected without the concurrence of the two Houses, he had desperately moved in the House of Peers, where he had a great faction, that it would adjourn for six months; in which time the malignant party (of which he might well be thought the head, and had the greatest influence upon the King's affections,) would prevail so far that all future hopes would be rendered desperate, and the kingdom of Ireland be utterly lost and possessed by the Papists: that they were therefore to take this opportunity, which God had given them, to remove so malignant and dangerous a person from the King, and so suspected a one from so important a charge as the Cinque Ports, of which the duke was Lord Warden, and to send to the Lords to join with them in a desire to the King to that purpose.'

258. On the other side, it was objected, that 'whilst they were so solicitous of their own privileges, and sensible of the breach and violation of them, they could not more justify those who had been the advisers of such breaches than by offering the like trespass to the privileges of the Peers: that the life of that council depended upon the liberty of speech, and where there were so different minds there must be different expressions; and if one House might take notice what the other House said or did within those walls, the Lords would as well question their members as they did now one of the Lords, which would take away all freedom of debate: that they could not examine the circumstances which attended that motion, if any such was made, and therefore could not so much as in their private understandings make a reasonable judgment of it; but that they were naturally to presume the circumstances were such as took away the offence of the motion, for that the major part of that House where the words were spoken, and at the time when they were spoken, had upon solemn debate concluded that there was no crime in them; and that they were not only the proper, but the only, judges in that case: and if the Commons should intermeddle therewith, it was no otherwise than by the strength of the major part of the House of Com-

mons to make the minor part of Lords superior to the major 1642
part of that House; which they would not suffer to be offered to themselves.'

259. It was alleged that 'the duke was a person of great honour and integrity, and of so unblemished a fame that in all the discovery of the Court-offences there was not any reflection upon him. That his education had been according to the best rules of the greatest persons for some years beyond the seas; and that, having spent more time in France and Italy, he visited Spain, where his great quality being known, (and, no question, as a compliment to this kingdom, with which it was then in strait alliance and confederacy,) that King had conferred the honour of a grandee upon him; which was of no other advantage or signification to him than to be covered in the presence of that King, as the principal subjects there are. That his affection to the Protestant religion was unquestionable and very eminent; and though his sisters, who had been bred under their mother, were Catholics, yet his brothers, (of whose education he had taken the sole care,) were very good Protestants.

260. 'That his opinions in Parliament had been very avowed, and were to be presumed to be according to his conscience, in the profession of which he was so public that there was reason to believe he used no ill arts in private, since he had the courage to do that aloud which he had reason to believe would displease many. That it would be a great prejudice and blemish to their counsels and discoveries if, after so long discourse of a malignant party and evil counsellors, of which they had never yet named any, they should first brand this lord with that imputation upon such a ground and occasion as must conclude all those lords who had absolved him, which was the major part of the Lords. In a word, that it would look as if they had devised those new words to make men afraid, and kept them in reserve to apply to all those with whom they were angry.'

261. But notwithstanding all this, and all the reason that could be spoken on that part, and that there could be none on the other, after a debate of very many hours till after nine

1642 of the clock at night, (the latest that ever was in Parliament but that of the Remonstrance,) in which it was evident that they meant, as far as in them lay, to confound all those whom they could not convert, it was resolved by the majority of voices[1], (not half the House being present at that unseasonable time of the debate,) 'that they should accuse the duke of Richmond to the Lords to be one of the malignant party and an evil counsellor to his majesty, and to desire them to join in a request to the King that he might be removed from any office or employ-
Jan. 29. ment about his person;' which was solemnly commended to the Lords accordingly, and by them so far received that, though the
Feb. 1. desire was rejected, no dislike or disapprobation of the matter or the manner was in the least manner discovered or insisted on.

262. All things thus prepared, and so many lords driven and kept from the House besides the bishops, and they that stayed there by this last instance instructed how to carry themselves, at least how they provoked the good lords to protest, they resolved once more to try whether the House of Peers would be induced to join in the business of the militia, which they had twice refused; and to that purpose, their old friends of the city in the same numbers flocked to Westminster, but under the new received and allowed style of 'petitioners'; but as unlike petitioners to any of those lords or commons whom they understood to be malignant as the other tumults had been. From these herds there were two notable petitions de-
Feb. 2. livered to the House of Commons; the one from the porters, their number, as they said, consisting of fifteen thousand; the other under the title of 'many thousand of poor people in and about the city of London.' The porters, with great eloquence, confessed

'the unexpressible pains that honourable House had taken for the good of Church and State, which deserved to be recorded to their eternal fame, though the effects of those unwearied endeavours were not produced, by

[1] [By 223 to 123. Considerably more than half the House was present, the whole number (including twelve supernumerary returns) being 500.]

reason of the prevalence of that adverse, malignant, bloodsucking, rebel- 1642
lious party, by the power of which the privileges of Parliament and the liberty of the subject was trampled upon, the rebellion in Ireland increased, and all succours and relief for that kingdom obstructed.' They said that 'trade had been long languishing but was now dead, by the fears, jealousies, and distractions they lay under, for want of fortification of the Cinque Ports, which was a great encouragement to the Papists to make insurrection, and did much animate a foreign power to invade us: that by the deadness of trade they did want employment in such a measure as did make their lives very uncomfortable; therefore their request was, that that extreme necessity of theirs might be taken into serious consideration, and that the honourable House of Commons would fall upon the speediest course for abating and quelling the pride, outrage, and insolency of the adverse party at home; that the land might be secured by fortifying the Cinque Ports, and putting the people into a posture of defence, that all their fears, or as many as could, might be removed, and that trade might be again set up and opened, that so their wants might be in some measure supplied.' They further desired that 'justice might be done upon offenders, according as the atrocity of their crimes had deserved; for if those things were any longer suspended, they should be forced to extremities not fit to be named, and to make good that saying that *Necessity hath no law*.' They said 'they had nothing to lose but their lives, and those they would willingly expose to the utmost peril in defence of the House of Commons, according to their Protestation, &c.

263. The other was a petition in the names of 'many Jan. 31.
thousands of poor people,' and brought by a great multitude of such, who seemed prepared for any exploit. I have thought fit, for the rareness of it and the rare effect it produced, to insert that petition in terms as it was presented[1], thus:

264. '*To the honourable the House of Commons now assembled in Parliament,*

'The humble petition of many thousands of poor people in and about the city of London,

'Humbly sheweth, that your petitioners have lain a long time under great pressures and grievances both in liberties and consciences, as hath been largely and sundry times shewed and declared by several petitions exhibited to this honourable assembly, both by the citizens and apprentices of the city of London and divers counties and parts of this kingdom, from which we hoped long ere this, (by your pious care,) to have been delivered.

[1] [A copy of this petition from which that in the text must have been taken, and with which it has been collated, is among the Clarendon MSS.: *Cal. Clar. S. P.*, I. 222.]

1642 265. 'But now we, who are of the meanest rank and quality, being touched with penury, are very sensible of the approaching storms of ruin which hang over our heads and threaten to overwhelm us, by reason of the sad distractions occasioned chiefly and originally, (as your petitioners humbly conceive,) by the prevalency of the bishops and the Popish lords and others of that malignant faction; who make abortive all good motions which tend to the peace and tranquillity of this kingdom of England, and have hitherto hindered the sending relief to our brethren in Ireland, although they lie weltering in blood; which hath given such head to the adversaries that we justly fear the like calamities inevitably to befall us here, when they have vented their rage and malice there.

266. 'All which occasions so great a decay and stop of trade that your petitioners are utterly impoverished, and our miseries are grown unsupportable, we having already spent all that little means which we had formerly, by God's blessing and our great labour, obtained; and many of us have not, nor cannot tell where to get, bread to sustain ourselves and families, and others of us are almost arrived at the same port of calamity; so that unless some speedy remedy be taken for the removal of all such obstructions which hinder the happy progress of your great endeavours, your petitioners shall not rest in quietness, but shall be inforced to lay hold on the next remedy which is at hand to remove the disturbers of our peace, want and necessity breaking the bounds of modesty: and rather than your petitioners will suffer themselves and their families to perish through hunger and necessity, though hitherto patiently groaned under, they cannot leave any means unessayed for their relief.

267. 'The cry therefore of the poor and needy, your poor petitioners, is, that such persons who are the obstacles of our peace, and hinderers of the happy proceedings of this Parliament and the enjoyment of the looked for purity of religion, safety of our lives, and return of our welfares, may be forthwith publicly declared, to the end they may be made manifest; the removal of whom we humbly conceive will be a remedy to cure our miseries and put a period to these distractions: and that those noble worthies of the House of Peers who concur with you in your happy votes may be earnestly desired to join with this honourable House and to sit and vote as one entire body; which we hope will remove from us our distractive fears, and prevent that which apprehension will make the wisest and peaceablest men to put in execution.

268. 'For the Lord's sake hear us, and let our religion, lives, and welfares be precious in your sight, that the loins of the poor may bless you, and pray,' &c.

269. After this horrible petition delivered, the House, according to its gracious custom, ordered thanks to be given for their great kindness. The which when delivered by the Speaker, who told them that the House was in consideration of those things whereof they complained, some of that rabble, (no doubt as they had been taught,) replied, 'that they never doubted

the House of Commons, but they heard all stuck in the Lords' House, and they desired to know the names of those peers who hindered the agreement between the good lords and the commons:' which they pressed with unheard of rudeness and importunity, and with a seeming unwillingness withdrew whilst the House took the matter into farther consultation. 1642

270. Yet notwithstanding this provocation, and that it was urged by many members, some which had been assaulted and ill entreated by that rabble in their passage to the House, 'that the countenancing such licentious persons and proceedings would be a great blemish to their counsels,' they were again called in, and told, 'that the House of Commons had endeavoured, and would continue those endeavours, for their relief; and they doubted not, when they had delivered their petition and what they had said to the Lords, which they would presently do, the causes of their evils would be found out, and some speedy course resolved upon for their relief; and therefore desired them with patience to attend a further answer.' And accordingly that petition was solemnly read and delivered to the Lords at a conference; and the conference no sooner ended than Mr. Hollis, (one of those five whom the King had accused a month before of high treason,) was sent to the Lords in a message to desire them, 'that they would join with the House of Commons in their desire to the King about the militia;' to which he added, 'that if that desire of the House of Commons was not assented to, he desired those lords who were willing to concur would find some means to make themselves known, that it might be known who were against them, and they might make it known to those that sent them.' Feb. 1.

271. After which motion and message, the Lords again resumed the debate; which the earl of Northumberland began with a profession that 'whosoever refused in that particular to join with the House of Commons were, in his opinion, enemies to the Commonwealth,' when the major part of that House had twice before refused to concur with them in it. Yet when his lordship was questioned for that unparliamentary language, all

1642 the other lords of that faction joined with him, and declared, 'that it was their opinions likewise;' the rabble being at the door to execute whatever they were directed: so that many lords out of a just indignation to see their honours and their liberties sacrificed to the people by themselves, others out of real fear of being murdered if they should in that conjuncture of time insist on their former resolutions, withdrawing themselves, the major part of those who stayed concluded to join with the House of Commons in the desire of the militia.

272. Within two days after this agreement and submission of
Feb. 4. the Lords, another petition was presented to the Commons in the name of 'the inhabitants of the county of Surrey,' by a multitude of people who were, or pretended to be, of that county, and subscribed by above two thousand hands. Their petition was of the ordinary strain, full of devotion to the House of Commons, and offering to execute all their commands; but with it they presented likewise a petition which they intended to present to the Lords, if they approved it, and was subscribed by above two thousand hands; by which it may appear where that petition was drawn and when, however the hands were procured. The petition to the Lords took notice of

their happy 'concurrence with the House of Commons in settling the militia and forts in such hands as the Commonwealth might confide in, and the kingdom in such a posture as might be for its defence and safeguard:' yet they complained of 'the miserable condition of Ireland, which, (they said,) by the delay it had found amongst their lordships, notwithstanding the pressing endeavours of the House of Commons together with many of their lordships, had been exposed to the inhuman cruelties of their merciless enemies. With like grief they apprehended the distractions of this nation, the composure of which, (they said,) was altogether hopeless so long as the King's throne was surrounded with evil counsellors, and so long as the votes of popish lords and bishops were continued in their House.

273. 'Wherefore they did humbly pray and beseech their lordships that they would go on in a constant union with the House of Commons in providing for the kingdom's safety; that all evil counsellors might be found out; Ireland relieved; that the votes of the popish lords and bishops might be speedily removed; that so the peace of the kingdom might be established, the privileges of Parliament vindicated, and the purity of religion settled and preserved. And, (they said,) they should be in duty obliged to defend and maintain with their lives and estates their lordships, so far as they

should be united with the honourable House of Commons in all their just and pious proceedings.' 1642

274. Which petition was read in the House of Commons and approved, and the petitioners thanked for their kind expressions therein, and then it was delivered by them at the bar of the House of Peers; who within a day or two passed both the bill for taking away the bishops' votes and for pressing, which had lain so long desperate whilst the lords came and sat with freedom in the House. And these marvellous things done, they again adjourn both Houses into London, to lay the scene[1] for future action. Feb. 7. Feb. 8.

275. Upon the second of February, some members appointed by both Houses attended his majesty at Windsor with their petition, 'that he would forthwith put the Tower of London and all other forts and the whole militia of the kingdom into the hands of such persons as should be recommended unto his majesty by both Houses of Parliament; which, they assured themselves, would be a hopeful entrance into those courses which, through God's blessing, should be effectual for the removing all diffidence and misapprehension betwixt his majesty and his people, and for establishing and enlarging the honour, greatness, and power of his majesty and royal posterity, and for the restoring and confirming the peace and happiness of his loyal subjects in all his dominions. And to that their most necessary petition, (they said,) they did, in all humility, expect his speedy and gracious answer, the great distractions and distempers of the kingdom not admitting any delay.' Feb. 2.

276. At the same time they likewise presented another petition to him, concerning the accused members; in which they besought him to give directions, 'that his Parliament might be informed, before Friday next, (which was within two days,) what proof there was against them, that accordingly they might be called to a legal trial; it being the undoubted right and privilege of Parliament that no member of Parliament should be proceeded against without the consent of Parliament.' Feb. 2.

[1] [Here, unlike the passage at p. 370, the MS. reads 'sceane,' or possibly 'sceame.' There was no adjournment of the Houses at this time, as stated above.]

1642 277. His majesty now found that these persons could not be compounded with, and that their purpose was by degrees to get so much power into their hands that they need not care for what was left in his; and that the Lords were in no degree to be relied on to maintain their own privileges, much less to defend his rights; and that they had the power to impose generally upon the people's understandings contrary to their own senses, and to persuade them 'that they were in danger to be invaded by foreign enemies' when the King was not only in peace with all Christian princes, but almost all other nations so embroiled in war that they all desired the friendship and assistance of England, [and] none was in case or condition to disturb it: and 'that there was a decay and deadness of trade, and want and poverty growing upon the whole kingdom,' when no man living had ever remembered the like plenty over the whole land, and trade was at that height that the like had never been known.

278. He resolved therefore to remove himself to a greater distance from London, where the fears and jealousies grew, and constantly to deny to pass any Act that should be recommended to him from the two Houses, except what might concern Ireland, till he might have a full prospect of all they intended to demand, and an equal assurance how far they intended to gratify him for all his condescensions; which resolution was very parliamentary, it having been rarely known, till this present Parliament, that the King consented to any Acts till the determination of the session.

279. The truth is, when his majesty found the extreme ill success of the accusation against the members, and that the tumults and the petitioners were no other than an army at the disposal of those in whom he had no reason to put his confidence, and that all such who expressed any eminent zeal to his service would be taken from him under the style of *delinquents* and *malignants*, he resolved that the Queen, (who was very full of fears,) should go to Portsmouth, colonel Goring, who was governor thereof, having found means to make good impressions again in their majesties of his fidelity; and that

himself would go to Hull, where his magazine of cannon, arms, and munition was; and that, being secured in those strong places, whither they who wished him well might resort and be protected, he would sit still till they who were over-active would come to reason. 1642

280. But this, though resolved with so much secrecy that it was not communicated to three persons, (as I have been since assured by those who knew,) whether by the treachery of one of those few, or by the curiosity of others, (which I rather believe,) who found means to overhear all private discourses, (as both bedchambers were inhabited, and every corner possessed, by diligent spies upon their master and mistress,) was imparted to those who procured those orders were before mentioned for Hull and Portsmouth; by reason whereof, and the advice and promise of many lords, 'that they would firmly unite themselves for the just support of the regal power,' with the extreme apprehension the Queen had of danger, that counsel was laid aside. That which wrought so much upon the Queen's fears, (besides the general observation how the King was betrayed, and how his rights and power were every day wrested from him,) was an advertisement that she had received, of a design in the prevalent party to have accused her majesty of high treason; of which, without doubt, there had been some discourse in their most private cabals, and I am persuaded was imparted to her upon design and by connivance, (for there were some incorporated into that faction who exactly knew her nature, passions, and infirmities,) that the disdain of it might transport her to somewhat which might give them advantage. And shortly after that discovery to her majesty, those persons before mentioned were accused of high treason; yet afterwards, when they had received the full fruits, they found means to complain, as a great argument of the malignity of those persons of nearness to both their majesties, that an infusion had been made to the Queen that there was a purpose of accusing her of high treason, and solemnly by message besought her to discover who had done Jan. 20. that malicious office; when they very well knew who it was, and for whose sake the Queen was brought to return answer, Jan. 27.

1642 'that she had heard such a discourse, but took no notice of it, as never believing it:' whereas, if they could have been compelled to have discovered how they knew that the Queen had been so informed, all the secret would have appeared; the same person[1] first telling her what was in projection against her, and then returning intelligence of any expressions and distemper he might easily observe upon the apprehension which the other begat.

281. But both King and Queen were then upon that disadvantage that all their words and actions, which were the pure results of their own reasons and judgments upon what they saw every day occurred, were called the effects of evil counsels, that so they might take the liberty to reproach them with the more license; whilst what they received by the most secret perjury of bedchamber spies, or what they forged themselves, was urged as the resultance of common fame, or the effects of their fears and jealousies, to the rancour of which the most precious balm of the Crown must be applied. And therefore it was concluded that the Queen should take the opportunity of her daughter the Princess Mary's journey into Holland, (who had been before married to the young prince of Aurange, and was now solemnly desired by the States' ambassadors to come into that country,) to transport herself into Holland, patiently to expect an amendment of the affairs of England; and that the King should retire into the north, and reside at York, and deny all particulars till the whole alteration should be framed. But the first resolution concerning the Queen was only published; the other, concerning the King, communicated to very few; both their majesties being reduced to so great wants, that the Queen was compelled to coin or sell her chamber plate for the supply of her most necessary occasions, there being no money in the Exchequer or in the power of the ministers of the revenue, and the officers of the Customs, out of which the allowance for the weekly support of their majesties' household had been made, being enjoined by the House of Commons not to issue out any money without their particular consent and approbation.

[1] ['The Countess of Carlisle.' Warburton's Notes.]

282. It was evident now that the accused members were too mighty for the King or the law, and that they would admit no other judges of their guilt than themselves, nor rules of proceeding than the plurality of their own voices: and therefore the King resolved to give over any more thought of that business. And so to that petition he answered, 'that as he once conceived that he had ground enough to accuse them, so now he found as good cause wholly to desert any prosecution of them.' The other petition, concerning the militia, gave him more trouble; for though he was resolved in no degree to consent to it, yet he was willing, till all things could be ready for the Queen's journey and so for his own remove, [rather] to delay it than deny it, lest the same army of petitioners might come to Windsor to persuade him which had converted or prevailed over the House of Peers. And he was persuaded by some who thought they knew the temper of both Houses that, though they were now united in the matter, they might be easily divided upon the circumstances, and that they would not be of one mind in the election of the persons to be confided in. So to that petition his majesty returned this answer:— 1642 Feb. 6. Feb. 6.

283. 'That he was willing to apply a remedy, not only to their dangers, but to their doubts and fears; and, therefore, that when he should know the extent of power which was intended to be established in those persons whom they desired to be commanders of the militia in the several counties, and likewise to what time it should be limited that no power should be executed [by[1]] his majesty alone without the advice of Parliament, then he would declare that he would be content to put in all the forts and over the militia such persons as both Houses of Parliament should either approve or recommend to him, so that they before declared the names of the persons whom they would approve or recommend, and so that no persons should be named by them against whom his majesty should have just and unquestionable exception.'

284. Which answer, though it was not a consent, gave them notable encouragement, and exceedingly united the vulgar minds to them, who concurred only with them as they saw them like to prevail in what they went about. And there was no danger of any disunion in the nomination of persons; because, though they should at first admit such into the number

[1] ['to,' MS.]

1642 whom they could not sufficiently trust nor plausibly except against, yet when they were once possessed of the power of nomination they might easily weed out those which were not agreeable to the soil they were planted in. However this would take up some time; and therefore, to keep the King's inclination to gratify them (for so they would understand it)
Feb. 6. warm, the same day they received this answer they returned a message of thanks; and desired his majesty, 'whilst they were preparing all other particulars according to his command, that he would confer the custody of the Tower upon sir John Conyers, whom his majesty had lately recommended to them as a person of great merit.' With which being surprised, and desired likewise by sir John Byron to free him from the agony and vexation of that place, which had exposed his person and reputation to the rage and fury of the people, and compelled him to submit to such reproaches as a generous spirit could not brook without much regret, (for he had upon frivolous surmises been sent for as a delinquent, and been brought upon
Jan. 13. his knees at the bar of both Houses,) his majesty consented to
Feb. 11. that alteration, and made sir John Conyers lieutenant of the Tower. Which was such an instance of his yielding upon importunity that from that time they thought themselves even possessed of the whole militia of the kingdom.

285. Whilst all diligence was used in making preparation for the Queen's journey, to divert their councils from other inquisitions, the King, who had received so many sharp expostulations for breach of privileges and other attempts upon their reputations, resolved, upon the publication of a bold scandal upon himself by one of their principal members, to expostulate with them, and try what satisfaction and reparation they were prepared to give to him who exacted so much from him. All opportunities had been taken in public, and all license given to private and clandestine forgeries, to lay odious or envious imputation on the King and Queen in the business of Ireland, and to impute the progress and success of that rebellion to a connivance, if not a countenance, from the Court; the not levying men, and not sending provisions,

imputed to his majesty; though he had, as is before observed, offered to levy ten thousand volunteers for that service, and had consented cheerfully to every proposition that had been made with the least reference to the assistance of that kingdom. Indeed he was so alarumed with those perpetual odious impositions, which he perceived wrought very pernicious effects in the minds of the people, that he was compelled to consent to many things contrary to his judgment and kingly policy, to prevent greater inconveniences by those scandals which he saw were prepared for him. So when several propositions were recommended to him by the two Houses concerning those supplies which were to be sent out of Scotland, amongst the rest there was one, 'that the Scots should have the command and keeping of the town and castle of Carrickfergus; and if any regiments or troops in that province should join with them, that they should receive orders from the commander of the Scotch forces.' The King consented to all the rest, though there were matters unreasonable enough in favour of that nation; but 'that,' he said, 'he could not approve of; and wished the Houses to take that proposition again into consideration, as a business of very great importance which he doubted might prove prejudicial to the Crown of England and the service intended.' And he said, 'if the Houses desired it, he would be willing to speak with the Scottish commissioners, to see what satisfaction he could give them therein.' This answer was no sooner read but both Houses voted, 'that whosoever gave the King advice or counsel to send that answer was an enemy to the King and kingdom,' and a committee appointed to find out who those evil counsellors were. So that, the Scotch commissioners pressing him 'that, being their native King, he would not publish a less trust and confidence in them than their neighbour nation had done,' his majesty thought fit to consent to the whole as the two Houses had advised.

1642 Dec. 28. Jan. 26. Jan. 26. Jan. 27.

286. Then, in the carrying on the war they allowed his majesty so little power that, when he recommended some officers of prime quality, reputation, and experience in the

1642 war, to the Lord Lieutenant to be employed in that service, the House of Commons by express order, and after they knew
Jan. 27. that his majesty had recommended them, rejected them, because they were taken notice to have attended upon the King at Whitehall as a guard to his person. And after all this, they took all occasions to asperse him with any omissions that were in that great work; as Mr. Pimm had more particularly done in that speech before taken notice of, at the conference with the Lords upon the delivery of those seditious petitions, of which the King could not take notice, lest he should be again reproached with breach of privilege.

287. But when that speech was printed by order of the House, the King thought he had an opportunity to require
Feb. 7. a vindication, and therefore in a letter to the Speaker he sent this message:—

'That he had taken notice of a speech pretended by the title to have been "*delivered by Mr. Pimm in a conference, and printed by order of the House of Commons,*" in which it was affirmed, "That, since the stop upon the ports against all Irish Papists by both Houses, many of the chief commanders now in the head of the rebels have been suffered to pass by his majesty's immediate warrant:" And being certain of having used extreme caution in the granting of passports into Ireland, he conceived either that paper not to have been so delivered and printed as is pretended, or that House to have received some misinformation. And therefore his majesty desired to know whether that speech had been so delivered and printed; and if it had, that the House would review upon what information that particular had been grounded, that either it might be found upon re-examination false, and so both the House and his majesty to have been injured by it, or that his majesty might know by what means and by whose fault his authority had been so highly abused as to be made to conduce to the assistance of that rebellion which he so much detested and abhorred, and that he might see himself fully vindicated from all reflections of the least suspicion of that kind.'

288. It was some time before they would vouchsafe any
Feb. 9. answer to the King upon this message; but at last they returned,

'that the speech mentioned in that message was printed by their order, and what was therein delivered was agreeable to the sense of the House: that they had received divers advertisements concerning the several persons, (Irish papists and others,) who had obtained his majesty's immediate warrant for their passing into Ireland since the order of restraint of both Houses; some of which, as they had been informed, since their coming into

Ireland had joined with the rebels and been commanders amongst them; and some others had been stayed, and were yet in safe custody.' 1642

289. Then they named some, to whom licenses had been granted before the order of restraint, and were still in England; and said,

'there were others whose names they had not yet received, but doubted not, upon examination, they would be discovered.'

290. To this the King replied, and told them, that Feb. 22.

'as he had expressed a great desire to give them all possible satisfaction to all their just requests, and a readiness to rectify or retract any thing done by himself which might seem to trench upon their privileges by any mistake of his, so he hoped they would be ready upon all occasions to manifest an equal tenderness and regard of his honour and reputation with his subjects: and therefore he expected they should review his message concerning Mr. Pimm's speech, and their answer, with which he could not rest satisfied.' He said, 'he was most assured that no person who had command in the head of the rebels had passed by his warrant or privity; and then he desired them to consider, whether such a general information and advertisement as they implied in their answer, without the name of any particular person, was ground enough for such a direct and positive affirmation as was made in that speech: which, in respect of the place and person, and being now acknowledged to be according to the sense of the House, was of that authority that his majesty might suffer in the affections of many of his good subjects, and fall under a possible construction, (considering many scandalous pamphlets to such a purpose,) of not being sensible enough of that rebellion, so horrid and odious to all Christians; by which, in that distraction, such a danger might possibly ensue to his majesty's person and estate as he was well assured they would endeavour to prevent. And therefore he thought it very necessary, and expected, that they should name those persons who had passed by his license and were then in the head of the rebels: or if, upon their re-examination, they did not find particular evidence to prove that assertion, (as he was most confident they never could,) as that affirmation which reflected upon his majesty was very public, so they would publish such a declaration whereby that mistake might be discovered; he being the more tender in that particular which had reference to Ireland, as being most assured that he had been, and was, from his soul, resolved to discharge his duty for the relief of his poor Protestant subjects and the utter rooting out that rebellion. So that service had not suffered for the want of any thing proposed to him and within his power to grant.'

291. He said, 'in this matter he had diligently examined his own memory and the notes of his secretaries;' and then named all the Irish persons to whom he had given any licenses to go into that kingdom since the beginning of the rebellion, and said, 'he was well assured none of them were with the rebels; and though some of them might be Papists yet he had no reason to discover any suspicion of them, in respect of their alliance with persons of great honour and power in that kingdom of whose fidelity to him he had good assurance, and the Lords Justices themselves having

1642 declared, that they were so far from owning a jealousy of all Papists there that they had put arms into the hands of divers noblemen of that religion within the Pale, which the Parliament had well approved of[1]. And therefore, unless the first affirmation of the House of Commons could be made good by some particulars, he expected a vindication by such a declaration as he had proposed; which,' he said, 'was in duty and justice due to him.'

292. But this, and any thing else could be said, was so far from procuring any reparation, or his majesty from receiving any, that when they perceived the King still pressed for that justice, and apprehended that many would believe it due to him, and that the prejudice they had raised to him for Ireland
March 15. would be removed thereby, they confidently published another declaration of several persons' names to whom they said the King had granted passes and were then commanders in the rebels' army, of whose names his majesty had never before heard, to whom no passes had been granted, neither did he believe that there were such men in nature; and so left the people to believe as they found themselves inclined, upon the King's denial or their so particular and positive affirmation.

293[2]. These proceedings of the Parliament made a deep impression upon all noble and generous persons, who found that their pride and ambition was so great that they resolved to remove all persons out of their way who were like to stand in their way by opposing any thing they desired, or by filling any place or office which they designed should be executed by some other person in whom they could confide. The earl of Newcastle, who was governor to the Prince, knew very well in what prejudice he stood with the earls of Essex and Holland, (two very powerful persons,) upon the account of the challenge formerly mentioned[3] to be sent by him to the latter of the two, who would be glad of any opportunity to expose him to an affront; and that they would find opportunities enough, upon the account of his known affections to the King's service, from which it was not possible to remove or startle him. He knew

[1] ['which letters' from the Lords Justices 'were not disapproved of by the Parliament here.' *Commons' Journals*, II. 454. Rushworth, I. iii, 513.]

[2] [§§ 293–296 are from the MS. of the *Life*, pp. 152–3.]

[3] [Bk. ii. § 53.]

they liked not that he should have the government of the Prince, as one who would infuse such principles into him as would not be agreeable to their designs and would dispose him to no kindness to their persons, and that they would not rest till they saw another man in that province; in order to which they would pick all quarrels they could, and load him with all reproaches which might blast him with the people, with whom he had a very good reputation. Upon these considerations, and some other imaginations upon the prospect of affairs, he very wisely resolved to retire from the Court, where he had expended much of his own fortune and only made himself obnoxious to the malice and envy of other pretenders; and desired the King to approve of this his reasonable inclination, and to put the Prince under the tuition of some person of honour, of unquestionable fidelity to him and above the reach of popular disapprobation; and at the same time mentioned the marquis of Hartford, who was indeed superior to any temptations. The King could not dislike the earl's judgment upon his own interest and concernment, and did foresee likewise that he might probably have occasion to use his service under another qualification; and therefore was well contented to dismiss him from the Prince. 1642

294. The marquis of Hartford was a man of great honour, great interest in fortune and estate, and of a universal esteem over the kingdom; and though he had received many and continued disobligations from the Court, from the time of this King's coming to the crown as well as during the reign of King James, in both which seasons more than ordinary care had been taken to discountenance and lessen his interest, yet he had carried himself with notable steadiness from the beginning of the Parliament in the support and defence of the King's power and dignity, notwithstanding all his allies and those with whom he had the greatest familiarity and friendship were of the opposite party; and never concurred with them against the earl of Strafford, (whom he was known not to love,) nor in any other extravagancy.

295. And then, he was not to be shaken in his affection to

1642 the government of the Church, though it was enough known that he was in no degree biassed by any great inclination to the person of any churchman. And with all this, that party carried themselves towards him with profound respect, not presuming to venture their own credit in endeavouring to lessen his.

296. It is very true, in many respects he wanted those qualities which might have been wished to be in a person to be trusted in the education of a great and a hopeful Prince, and in the forming his mind and manners in so tender an age. He was of an age not fit for much activity and fatigue, and loved, and was even wedded so much to, his ease that he loved his book above all exercises; and had even contracted such a laziness of mind that he had no delight in an open and liberal conversation, and cared not to discourse and argue in those points which he understood very well, only for the trouble of contending; and could never impose upon himself the pain that was necessary to be undergone in such a perpetual attendance. But then those lesser duties might be otherwise provided for, and he could well support the dignity of a governor, and exact that diligence from others which he could not exercise himself; and his honour was so unblemished that none durst murmur against the designation; and therefore his majesty thought him very worthy of the high trust, against which there was no other exception but that he was not ambitious of it, nor in truth willing to receive and undergo the charge, so contrary to his natural constitution. But [in] his pure zeal and affection for the Crown, and the conscience that in this conjuncture his submission might advance the King's service, and that the
1641 refusing it might prove disadvantageous to his majesty, he very
Aug. 10. cheerfully undertook the province, to the general satisfaction and public joy of the whole kingdom; and to the no little honour and credit of the Court, that so important and beloved a person would attach himself to it under such a relation, when so many, who had scarce ever eaten any bread but the King's, detached themselves from their dependence, that they might without him, and against him, preserve and improve

those fortunes which they had procured and gotten under him and by his bounty. 1642

297[1]. The bill for the taking away the votes of bishops out of the House of Peers, which was called, *A bill for taking away all temporal jurisdiction from those in holy orders*, was no sooner passed the House of Peers than the King was earnestly desired to give his royal assent to it. The King returned, 'that it was a matter of great concernment, and therefore he would take time to advise, and would return an answer in convenient time.' But this delay pleased not their appetite; they could not attempt their perfect reformation in Church and State till those votes were utterly abolished. Therefore they sent the same day again to the King, who was yet at Windsor[2], and gave him reasons to persuade him immediately to consent to it; one of which was, 'the grievances the subjects suffered by their exercising of temporal jurisdiction, and their making a party in the Lords' House:' a second, 'the great content of all sorts by the happy conjunction of both Houses in their absence:' and a third, 'that the passing of that bill would be a comfortable pledge of his majesty's gracious assent to the future remedies of those evils which were to be presented to him, this once being passed.' Feb. 5. Feb. 7, 8. Feb. 8.

298. Reasons sufficient to have converted him, if he had the least inclination or propensity to have concurred with them; for it was, upon the matter, to persuade him to join with them in this, because, that being done, he should be able to deny them nothing.

299. However those of greatest trust about the King, and who were very faithful to his service, (though in this particular exceedingly deceived in their judgments, and not sufficiently acquainted with the constitution of the kingdom,) persuaded him that the passing this bill was the only way to preserve the Church, there being so united a combination in this particular that he would not be able to withstand it; whereas by the

[1] [§§ 297–358 are from the MS. of the *Hist.*, pp. 128–141.]

[2] [He remained at Windsor from Jan. 12 to Feb. 9. Rushworth, III. i. 484.]

1642 passing this bill so many persons in both Houses would be fully satisfied, that they would join in no further alteration: but, on the other hand, if they were crossed in this, they would violently endeavour an extirpation of bishops and a demolition of the whole fabric of the Church.

300. They alleged that he was, upon the matter, deprived of their votes already, they being not suffered to come to the House, and the major part in prison under an accusation of high treason, of which there was not like to be any reformation till these present distempers were composed; and then that by his power, and the memory of the indirect means that had been used against them, it would be easier to bring them in again than to keep them in now. They told him, there were two matters of great importance pressed upon him for his royal assent, but they were not of equal consequence and concernment to his sovereign power; the first, that bill for the bishops' votes; the other, the whole militia of the kingdom, the granting of which would absolutely divest him of all regal power; that he would not be able to deny both, but by the granting the former, in which he parted with no matter of moment, he would, it may be, not be pressed in the second; or if he were, that as he could not have a more popular quarrel to take up arms than to defend himself, and preserve that power in his hands which the law had vested in him, and without which he could not be a king, so he could not have a more unpopular argument for that contention than the preservation of the bishops in the House of Peers, which few men thought essential, and most men believed prejudicial, to the peace and happiness of the kingdom.

301. These arguments, though used by men whom he most trusted, and whom he knew to have opposed that bill in its passage and to be cordially friends to the Church of England in discipline and doctrine[1], prevailed not so much with his majesty as the persuasions of the Queen; who was not only persuaded to think those reasons valid, and that indeed the Church could be only that way preserved, (and there are that believe that

[1] [Clarendon says in his Life that these arguments were used by Sir John Culpeper.]

infusion to have been made in her by her own priests, by instructions from France, and for reasons in state of that kingdom,) but that her own safety very much depended upon the King's consent to that bill, and that if he should refuse it her journey into Holland would be crossed by the Parliament, and possibly her person in danger, either by the tumults which might easily be brought to Windsor from Westminster, or by the insurrection of the counties in her passage from thence to Dover, where she intended to take shipping. Whereas by her intercession with the King to do it, she would lay a most seasonable and popular obligation upon the whole nation, and leave a pleasant odour of her grace and favour to the people behind her, which would prove much to her advantage in her absence; and she should have the thanks for that act as acquired by her goodness, which otherwise would be extorted from the King when she was gone. 1642

302. These insinuations and discourses so far satisfied the Queen, and she the King, that, contrary to his most positive resolution, the King consented, and sent a commission for the enacting both that bill and the other for pressing; which was done accordingly, to the great triumph of the *boutefeus*, the King sending the same day that he passed those bills, which was the fourteenth of February, a message to both Houses, 'That he was assured his having passed those two bills, being of so great importance, so suddenly, would serve to assure his Parliament that he desired nothing more than the satisfaction of his kingdom.' For Ireland, he said, 'as he had concurred in all propositions made for that service by his Parliament, so he was resolved to leave nothing undone for their relief which should fall within his possible power, nor would refuse to venture his own person in that war, if the Parliament should think it convenient, for the reduction of that miserable kingdom.' Feb. 14.

303. The passing that bill for the taking away the bishops' votes exceedingly weakened the King's party, not only as it perpetually swept away so considerable a number out of the House of Peers which were constantly devoted to him, but as it

1642 made impression on others, whose minds were in suspense and shaken, as when foundations are dissolved. Besides, they that were best acquainted with the King's nature, opinions, and resolutions, had reason to believe that no exigents could have wrought upon him to have consented to so anti-monarchical an act, and therefore never after retained any confidence that he would deny what was importunately asked; and so, either absolutely withdrew themselves from those consultations, thereby avoiding the envy and the danger of opposing them, or quietly suffered themselves to be carried by the stream, and consent to any thing that was boldly and lustily attempted.

304. And then it was so far from dividing the other party, that I do not remember one man who furiously insisted on, or indeed heartily wished, the passing of that bill that ever deserted them, till the kingdom was in a flame: but, on the contrary, very many who cordially and constantly opposed that act, as friends rather to monarchy than religion, after that bill never considered or resisted any attempt or further alteration in the Church, looking upon the bishops as useless to sovereignty, and so not of importance enough to defend by the sword. And I have heard the same men who urged before, 'that their places in that House had no relation to the discipline of the Church and their spiritual jurisdiction, and therefore ought to be sacrificed to the preservation of the other, upon which the peace and unity of religion so much depended,' since argue, 'that since their power in that House, which was a good outwork to defend the King's from invasion, was taken away, any other form of government would be equally advantageous to his majesty; and therefore that he ought not to insist on it with the least inconvenience to his condition.'

305. That which was above, or equal to, all this, [was,] that by his majesty's enacting those two bills he had upon the matter approved the circumstances of their passage, which had been by direct violence and force of arms; in which case he ought not to have confirmed the most politic or the most pious constitutions. *Male posita est lex quæ tumultuarie posita est.*

was one of those positions of Aristotle's[1] which hath never been 1642
since contradicted; and was an advantage, that, being well managed and stoutly insisted upon, would, in spite of all their machinations, (which were not yet firmly and solidly formed,) have brought them to a temper of being treated with. But I have some cause to believe that even this argument, which was unanswerable for the rejecting that bill, was applied for the confirming it; and an opinion that the violence and force used in procuring it rendered it absolutely invalid and void made the confirmation of it less considered, as not being of strength to make that Act good which was in itself null. And I doubt this logic had an influence upon other Acts of no less moment than these: but it was an erroneous and unskilful suggestion; for an Act of Parliament, what circumstances soever concurred in the contriving and framing it, will be always of too great reputation to be avoided, or to be declared void, by the sole authority of any private persons on the single power of the King himself. And though the wisdom, sobriety, and power of a future Parliament, (if God shall ever bless the kingdom with another regularly constituted,) may find cause to declare this or that Act of Parliament void, yet there will be the same temper requisite to such a declaration as would serve to repeal it. And it may be then, many men, who abhorred the thing when it was done for the manner of doing it, will be of the civilian's opinion, *fieri non debuit, factum valet*, and never consent to the altering of that which they would never have consented to the establishing: neither will that single precedent of the judges in the case of King Henry the Seventh, when they declared the Act of attainder to be void by the accession of the crown[2], (though if he had in truth been the person upon whom the crown had lineally and rightfully descended, it was good law,) find, or make, the judges of another age parallel to them till the king hath as strong a sword in his hand, and the people as much at his devotion and disposal; and then the making and declaring law will be of equal facility, though, it

[1] [Ethics, V. i. 14.]
[2] [Bacon's *Hist. of Hen. VII*, 1622, p. 13.]

1642 may be, not of equal justice. How much soever the King's friends were, for the reasons aforesaid, dejected upon the passing those two Acts, it is certain they who thought they got whatever he lost were mightily exalted, and thought themselves now superior to any opposition: and what returns of duty and acknowledgment they made to the King for that grace and favour is to be remembered in the next place.

Feb. 14. 306. The same day those two Acts were by his majesty's commission confirmed, and as soon as a very short message of thanks for that favour, as much importing the safety of both kingdoms of England and Ireland, was consented to, an ordinance for the settling the militia was consented to by both Houses, and, together with a list of the names of such persons as for the present they meant to confide in, was immediately sent to the King for his approbation; the which, being the most avowed foundation of all the miseries that have followed, will be here necessary to be inserted in the very terms and form it was agreed upon and presented; and was as followeth:—

307. *An ordinance of both Houses of Parliament for the ordering of the militia of the kingdom of England and dominion of Wales.*

'Whereas there hath been of late a most dangerous and desperate design upon the House of Commons, which we have just cause to believe to be the effect of the bloody counsels of the Papists and other ill affected persons, who have already raised a rebellion in the kingdom of Ireland, and by reason of many discoveries we cannot but fear they will proceed not only to stir up the like rebellion and insurrections in this kingdom of England, but also to back them with forces from abroad; for the safety therefore of his majesty's person, the Parliament, and kingdom, in this time of imminent danger, It is ordained by the King, the Lords, and Commons, now in Parliament assembled, That shall have power to assemble and call together all and singular his majesty's subjects within the county of as well within liberties as without, that are meet and fit for the wars, and them to train, exercise, and put in readiness, and them, after their abilities and faculties, well and sufficiently from time to time to cause to be arrayed and weaponed, and to take the muster of them in places most fit for that purpose. And shall have power within the said county to nominate and appoint such persons of quality as to him shall seem meet, to be his deputy lieutenants, to be approved of by both Houses of Parliament; and that any one or more of the said deputies, so assigned and approved of, shall in the absence or by the command of the said have power and authority to do and execute within the county of all such powers and authorities before in this present ordinance contained;

and shall have power to make colonels and captains and other officers, and 1642
to remove out of their places, and to make others from time to time, as he shall think fit for that purpose. And his deputies, colonels, and captains, and other officers, shall have further power and authority to lead, conduct, and employ the persons aforesaid, arrayed and weaponed, as well within the county of as within any other part of this realm of England or dominion of Wales, for the suppression of all rebellions, insurrections, and invasions that may happen, according as they, from time to time, shall receive directions by his majesty's authority, signified unto them by the Lords and Commons assembled in Parliament. And it is further ordained, that such persons as shall not obey in any of the premises shall answer their neglect and contempt to the Lords and Commons in a parliamentary way, and not otherwise, nor elsewhere: and that every the powers granted as aforesaid shall continue until it shall be otherwise ordered or declared by both Houses of Parliament, and no longer. This to go also to the dominion of Wales.'

308. A second act of the same day, and the only way they took to return their thanks and acknowledgment to the Queen for her intercession and mediation in the passing those bills, was the opening a letter they intercepted which was directed to her majesty herself. The lord Digby, after their majesties' going to Windsor, when he found in what umbrage he stood with the powerful and prevailing party, and that they were able to improve his going through a town in a coach and six horses to a warlike appearance, and so to expose him to the fury of the people, at least to the power of the counties to be suppressed, as they had done by their order or proclamation of the twelfth of January before remembered, and appointed to be read in all market towns throughout England, concluded, for his own security and to free the King's councils from the imputation of his evil influence, to remove himself into some parts beyond the seas: and so, with the King's leave and by his license, was transported into Holland, from whence he writ some letters to his friends at London, to give them an account where he was, and for supplying himself with those accommodations as he stood in need of. Amongst these letters there was one to his brother [in-law] sir Lewis Dives, which, by the treachery of that person to whose care it was intrusted for conveyance, was brought to the House of Commons: and it Feb. 14.
being averred that it came from the lord Digby, whom they

1642 looked upon as a fugitive, they made no scruple of opening it; and finding another in it directed to the Queen, after a very little pause they did the like; for which they made no other
Feb. 16. excuse, when upon a message from the King they sent her the transcript, (for the original they still kept) than, 'that having opened the other letters, and finding in them sundry expressions full of asperity and malignity to the Parliament, they thought it very probable that the like might be contained in that to her majesty; and that it would have been dishonourable to her majesty and dangerous to the kingdom if it should not have been opened: and they besought the King to persuade her majesty that she would not vouchsafe any countenance to, or correspondence with, the lord Digby, or any other of the fugitives or traitors whose offences depended under the examination and judgment of Parliament.'

Jan. 21. 309. In that letter to the Queen were these words: 'If the King betake himself to a safe place, where he may avow and protect his servants, from rage (I mean) and violence, (for from justice I will never implore it,) I shall then live in impatience and in misery till I wait upon you. But if, after all he hath done of late, he shall betake himself to the easiest and compliantest ways of accommodation, I am confident that then I shall serve him more by my absence than by all my industry.' And in that to sir Lewis Dives were these words: 'God knows, I have not a thought to make me blush towards my country, much less criminal; but where traitors have so great a sway, the honestest thoughts may prove most treasonable.' Which gave those that thought themselves concerned so great offence,
Feb. 19. that within two days after they accused him of high treason; and finding no words in the letters would amount to that offence, they accused him of levying war against the King, which could have relation to no act of his but what was before mentioned at Kingston-upon-Thames, when, to the terror of the King's subjects, he was seen there in a coach with six horses. Though this extravagancy of theirs seems to be directed against a particular person, I could not omit it in this place, being accompanied with those circumstances. And it may be, posterity

may look upon the severe persecution of a young man of admirable parts and eminent hopes in so implacable a manner as a most pertinent instance of the tyranny and injustice of that time, not possible to end but in so much wickedness as it hath since practised. 1642

310. A third act of that day was the carrying up an impeachment to the Lords against the King's Attorney General, 'for maliciously advising and contriving the articles upon which the lord Kimbolton, Mr. Hollis, Mr. Pimm, Mr. Hambden, Mr. Strowde, and sir Arthur Haslerigge, had been accused by his majesty of high treason;' it being not thought security and reparation enough that the King had waived any further proceeding against them, except they left such a monument of their power, that, upon what occasion or provocation soever, no man should presume to obey the King in the like command. So that the same fourteenth of February that was celebrated for the King's condescension to that Act for the putting the bishops out of the House of Peers, is famous likewise for those three unparalleled acts of contempt upon the sovereign power; —the demand of the sole power over all the militia of the kingdom, the opening letters directed to the sacred person of the Queen, and the impeaching the Attorney General for performing the duty of his place by his master's command. All which were very ill instances of that application and compliance his majesty had reason to expect, and some men had promised him he should receive. Feb. 14.

311. Though the King was resolved in no degree to consent to the proposition for the militia, yet he thought not the time seasonable for his positive denial, the Queen retaining still her fears of being stopped in her journey. Therefore, for the present, he returned answer, 'that his dearest consort the Queen, and his dear daughter the princess Mary, being then upon their departure for Holland, he could not have so good time to consider of a particular answer for a matter of so great weight as that was; therefore he would respite the same till his return:' the King intending to accompany the Queen to Dover[1], Feb. 19.

[1] [His answer was delivered at Dover (*Lords' Journals*, IV. 600), whither he went from Canterbury on Feb. 16.]

1642 and, as soon as she was embarked, to return. They received
Feb. 21. this answer with their usual impatience, and the next day
Feb. 22. sent messengers to him with that which they called an humble petition; in which they told him that

> 'they had with a great deal of grief received his answer to their just and necessary petition concerning the militia of the kingdom; which, by a gracious message formerly sent unto them, he had been pleased to promise should be put into such hands as his Parliament should approve of, the extent of their power and the time of their continuance being likewise declared; the which being now done, and the persons nominated, his majesty nevertheless reserved his resolution to a longer and a very uncertain time; which,' they said, 'was as unsatisfactory and destructive as an absolute denial. Therefore they once again besought him to take their desire into his royal thoughts, and to give them such an answer as might raise in them a confidence that they should not be exposed to the practices of those who thirst after the ruin of this kingdom, and the kindling of that combustion in England which they had in so great a measure effected in Ireland; from whence, as they were informed, they intended to invade this kingdom with the assistance of the Papists here.' They said, 'nothing could prevent those evils, nor enable them to suppress the rebellion in Ireland and secure themselves, but the instant granting of that their petition; which they hoped his majesty would not deny to those who must, in the discharge of their duty to his majesty and the commonwealth, represent unto him what they found so absolutely necessary for the preservation of both; which the laws of God and man enjoined them to see put in execution, as several counties by their daily petitions desired them to do, and in some places began already to do it of themselves.'

Notwithstanding all that importunity, the King made no other
Feb. 24. answer than formerly he had done, that he would give a full answer at his return from Dover.

312. In the mean time, the House of Commons, (to whom every day petitions are directed by the several counties of England, professing all allegiance to them,) govern absolutely, the Lords concurring, or rather submitting to whatsoever is
Feb. 15. proposed; insomuch as when they had bailed the twelve bishops who were in the Tower for the treason of their protestation, which they did the next day after the bill was passed for taking away their votes, the House of Commons in great indignation expostulated with them, and caused them immediately
Feb. 16. again to be recommitted to the Tower. So they gave their private intimations to their correspondents in the counties that they should make small entries upon the militia; which was

done in many places, the people choosing their officers and listing themselves, and so training and exercising under the names of volunteers; whereby they had opportunity to unite themselves, to know their confederates, observe those who were of other opinions, and to provide arms and ammunition against they should have occasion. The Tower of London was at their devotion, and Hull was their own, the mayor of that place having been lately sent for and reprehended for having said that 'they ought not to have soldiers billeted upon them by the Petition of Right,' and for refusing to submit that town which was his charge to the government of Mr. Hotham; and after a tedious and chargeable attendance, without being brought to a public hearing, he was persuaded to submit, and so was discharged. 1642 Feb. 7.

313. Then they fell to raising of moneys under pretence of the relief of Ireland, and for that purpose prepared one Act for the payment of four hundred thousand pounds to such persons as were nominated by themselves, and to be disbursed and issued in such manner and to such uses as the two Houses should direct, which the King confirmed accordingly; whereby they had a stock of credit to raise moneys whensoever they found themselves put to it: and this could not be prevented; for the King having committed the carrying on the war of Ireland to them, and they being engaged both for the payment of the arrears to the officers of the northern army disbanded the summer before, and of the three hundred thousand pounds to the Scots, his majesty was necessitated to pass the Act with such general clauses that it might be in their power to divert the money to other uses than those to which it was given; as it afterwards fell out. March 11. March 26.

314. The Queen being shipped for Holland, his majesty returned to Greenwich, whither he had sent to the marquis of Hartford to bring the Prince of Wales from Hampton Court to meet him; of which as soon as the Houses were advertised, they sent a message to the King, who was upon his way from Dover, to desire him, 'that the prince might not be removed from Hampton Court, for that they conceived his removal at Feb. 23. Feb. 26. Feb. 24.

1642 that time might be a cause to promote jealousies and fears in the hearts of his good subjects, which they thought necessary to avoid;' and at the same time sent an express order to the marquis of Hartford to require him not to suffer the Prince to go to Greenwich: but his lordship, choosing rather to obey the King's commands than theirs, carried his highness to his father; of which the Houses no sooner were informed than they sent some members of both Houses to Greenwich, to bring the Prince from thence to London. But when they came thither, they found the King, whom they did not expect, there, and so made no attempt to perform that command. The reason of this extravagancy (besides their natural humour to affront the King, and this seeming care of the Prince was a popular thing) was pretended to be an information they had received from a member of the House.

315. There was one Griffith, a young Welshman, of no parts, or reputation but for eminent license; this youth had long with great boldness followed the Court, and pretended to preferment there; and so in the House had always opposed, (as far as not consenting,) all the undutiful acts towards the King, and upon this stock of merit had pressed more confidently for a reward; and when the Queen was ready to take shipping at Dover for Holland, he barefaced importuned her to mediate to the King that he might be forthwith admitted of the Prince's bedchamber: the which her majesty refusing, he forthwith told his companions, that 'since he could not render himself considerable by doing the King service, he would be considerable by doing him disservice:' and so made great haste to London, and openly in the House told them, (the same day that the Prince was to go to Greenwich,) 'that if they were not exactly careful, they would speedily lose the Prince; for, to his knowledge, there was a design and resolution immediately to carry him into France.' From which senseless and groundless information he was taken into their favour; and, his malice supplying the defect of other parts, was thenceforth taken into trust, and used as their *bravo* to justify all their excesses, in taverns and ordinaries. And I saw Mr. Hambden shortly after

this discovery take him in his arms, telling him, 'his soul re- 1642
joiced to see that God had put it in his heart to take the right way.'

316. To their message the King sent them word that Feb. 28.

'To their fears and jealousies he knew not what answer to give, not being able to imagine from what grounds they proceeded; but if any information had been given to them to cause those apprehensions, he much desired the same might be examined to the bottom; and then he hoped that their fears and jealousies would be hereafter continued only with reference to his majesty's rights and honours.'

317. The Queen being gone, and the Prince come to his father at Greenwich, the King sent an answer to the two Houses concerning the militia, that Feb. 28.

'Having, with his best care and understanding, perused and considered that which had been sent him from both Houses, for the ordering the militia, to be made an ordinance of Parliament by the giving of his royal assent, as he could by no means do it for many reasons, so he did not conceive himself obliged by any promise made to them in his answer to their former petition.' He said, 'he found great cause to except against the preface, or introduction, to that order, which confessed a most dangerous and desperate design upon the House of Commons of late, supposed to be an effect of the bloody counsels of Papists and other ill-affected persons, by which many might understand (looking upon other printed papers to that purpose) his own coming in person to the House of Commons on the fourth of January, which begat so unhappy a misunderstanding between him and his people. And for that, though he believed it upon the information since given him to be a breach of their privileges, and had offered, and was ready, to repair the same for the future by any act should be desired from his majesty, yet he must declare, and require to be believed, that he had no other design upon that House, or any member of it, than to require, as he did, the persons of those five gentlemen he had before accused of high treason, and to declare that he meant to proceed against them legally and speedily; upon which he believed that House would have delivered them up.

318. 'And he called the Almighty God to witness that he was so far from any intention or thought of force or violence, although that House had not delivered them according to his demand, or in any case whatsoever, that he gave those his servants, and others, who then waited on his majesty express charge and command that they should give no offence unto any man; nay, if they received any provocation or injury, that they should bear it without return; and he neither saw or knew that any person of his train had any other weapons but his pensioners and guard those with which they usually attend his person to Parliament, and the other gentlemen swords. And therefore he doubted not but the Parliament would be regardful of his honour therein, that he should not undergo any imputation by the rash or indiscreet expressions of any young men then in his train, or by any

1642 desperate words uttered by others who might mingle with them without his consent or approbation.

319. 'For the persons nominated to be the lieutenants of the several counties of England and Wales,' he said, 'he was contented to allow that recommendation; only concerning the city of London, and such other corporations as by ancient charters had granted to them the power of the militia, he did not conceive that it could stand with justice or policy to alter their government in that particular. And he was willing forthwith to grant to every one of them, that of London and those other corporations excepted, such commissions as he had granted this Parliament to some lords lieutenants by their advice. But if that power were not thought enough, but that more should be thought fit to be granted to those persons named than by the law is in the Crown itself,' he said, 'he thought it reasonable that the same should be by some law first vested in him, with power to transfer it to those persons, which he would willingly do: and whatever that power should be, to avoid all future doubts and questions, he desired it might be digested into an Act of Parliament rather than an ordinance; so that all his subjects might thereby particularly know, both what they were to do, and what they were to suffer for their neglect; that so there might be the least latitude for them to suffer under any arbitrary power whatsoever.

320. 'To the time desired for the continuance of the powers to be granted,' he said, 'he could not consent to divest himself of the just power which God and the laws of the kingdom had placed in him for the defence of his people, and to put it into the hands of others for any indefinite time. And since the ground of their request to him was to secure their present fears and jealousies, that they might with safety apply themselves to his message of the twentieth of January, he hoped that his grace to them since that time, in yielding to so many of their desires and in agreeing to the persons now recommended to him and the power before expressed to be placed in them, would wholly dispel those fears and jealousies: and he assured them that, as he had now applied this unusual remedy to their doubts, so, (if there should be cause,) he would continue the same to such time as should be agreeable to the same care he now expressed towards them.

321. He said, 'he was so far from receding from any thing he had promised, or intended to grant, in his former answer, that he had hereby consented to all that had been then asked of him by that petition concerning the militia of the kingdom, except that of London and the other corporations; which was, to put the same into the hands of such persons as should be recommended to him by both Houses of Parliament. And he doubted not but they, upon well weighing the particulars of that his answer, would find the same more satisfactory to their ends and the peace and welfare of all his good subjects, than the way proposed by that intended ordinance; to which, for those reasons, he could not consent.

'And whereas he observed by their last petition that in some places some persons began already to intermeddle of themselves with the militia,' he said, 'he expected his Parliament should examine the particulars thereof, it being a matter of high concernment and very great consequence. And

he required that, if it should appear to them that any person whatsoever had presumed to command the militia without lawful authority, they might be proceeded against according to law.' 1642

322. It seems this was not the answer they promised themselves; for at the publishing it they were marvellously transported, and immediately voted, both Houses concurring in it, Feb. 28. 'That those that advised his majesty to give that answer were enemies to the State, and mischievous projectors against the defence of the kingdom: that that denial was of that dangerous consequence that, if his majesty should persist in it, it would hazard the peace and safety of all his kingdoms, unless some speedy remedy were applied by the wisdom and authority of both Houses of Parliament: and that such parts of the kingdom as had already put themselves into a posture of defence against the common danger, had done nothing but what was justifiable and was approved by both Houses.' And having caused these and such other resolutions to be immediately published in print, that their friends abroad might know what they had to do, they sent a committee of both Houses to the King, to Theobald's[1], with another petition; in which they told March 1. him that

'Their just apprehensions of sorrow and fear, in respect of the public dangers and miseries like to fall upon his majesty and the kingdom, were much increased upon the receipt of his unexpected denial of their most humble and necessary petition concerning the militia of the kingdom; and that they were especially grieved that wicked and mischievous counsellors should still have that power with him as, in that time of imminent and approaching ruin, he should rather incline to that which was apt to further the accomplishment of the desires of the most malignant enemies of God's true religion, and of the peace and safety of himself and his kingdom, than to the dutiful and faithful counsel of his Parliament. Wherefore,' they said, 'they were enforced in all humility to protest, that, if his majesty should persist in that denial, the dangers and distempers of the kingdom were such as would endure no longer delay: but unless he should be graciously pleased to assure them by those messengers that he would speedily apply his royal assent to the satisfaction of their former desires, they should be enforced, for the safety of his majesty and his kingdoms, to dispose of the militia by the authority of both Houses in such manner as had been propounded to him; and they resolved to do it accordingly.

[1] [The King went from Greenwich to Theobald's on Feb. 28, and from thence to Royston on March 3.]

1642 323. 'They likewise most humbly besought his majesty to believe that the dangerous and desperate design upon the House of Commons, mentioned in their preamble, was not inserted with any intention to cast the least aspersion upon his majesty; but therein they reflected upon that malignant party of whose bloody and malicious practices they had so often experience, and from which they could never be secure unless his majesty would be pleased to put from him those wicked and unfaithful counsellors, who interposed their own corrupt and malicious designs betwixt his majesty's goodness and wisdom and the prosperity and contentment of himself and of his people; and that for the despatch of the great affairs of the kingdom, the safety of his person, the protection and comfort of his subjects, he would be pleased to continue his abode near to London and the Parliament, and not to withdraw himself to any the remoter parts, which if he should do, must needs be a cause of great danger and distraction.

324. 'That he would likewise be graciously pleased to continue the Prince his highness in those parts, at St. James's or any other of his houses near London; whereby the designs which the enemies of the religion and peace of the kingdom might have upon his person, and the jealousies and fears of his people, might be prevented.

325. 'And they besought him to be informed by them, that by the laws of the kingdom the power of raising, ordering, and disposing of the militia within any city, town, or other place, could not be granted to any corporation, by charter or otherwise, without the authority and consent of Parliament: and that those parts of the kingdom which had put themselves in a posture of defence against the common danger had therein done nothing but according to the declaration and direction of both Houses, and what was justifiable by the laws of the kingdom. All which their most humble counsel and desires they prayed him to accept as the effect of that duty and allegiance which they owed unto him, and which would not suffer them to admit of any thoughts, intentions, or endeavours, but such as were necessary and advantageous for his greatness and honour, and the safety and prosperity of the kingdom, according to that trust and power which the laws had reposed in them.'

326. As soon as the petition was read, the King told them that presented it that

'he was so much amazed at their message that he knew not what to answer.' He said, 'they spake of jealousies and fears; but [he] desired them to lay their hands to their hearts, and ask themselves, whether he might not likewise be disturbed with fears and jealousies? and if so, he assured them that message had nothing lessened them.

327. 'For the militia,' he said, 'he had thought so much of it before he sent his answer, and was so well assured that the answer was agreeable to what in justice or reason they could ask or he in honour grant, that he should not alter it in any point.

328. 'For his residence near them,' he said, 'he wished it might be so safe and honourable, that he had no cause to absent himself from Whitehall: he bid them ask themselves, whether he had not? For his son,'

he said, 'he should take that care of him which should justify him to God as a father and to his dominions as a king. To conclude, he assured them, upon his honour, that he had no thought but of peace, and justice to his people; which he would by all fair means seek to preserve and maintain, relying upon the goodness and providence of God for the preservation of himself and his rights.' 1642

329. This being suddenly, and with more than usual quickness, spoken by the King, much appalled them; but they were too far engaged to retire; and therefore, as soon as it was reported to the Houses, they resolved, upon debate, 'that the kingdom should be forthwith put into a posture of defence by authority of both Houses, in such a way as had been formerly agreed upon by both Houses;' and 'that a Declaration should be speedily sent unto the King, containing the causes of their just fears and jealousies, and to make it evident that any that were entertained against them were groundless;' ordering at the same time, 'that all the lords lieutenants of any counties in England who had been formerly so constituted by the King by his commissions under the Great Seal of England should immediately bring in those commissions, to be cancelled as illegal:' albeit some such commissions had been granted upon their own desire since the beginning of the Parliament, as particularly to the earl of Essex to be lord lieutenant of Yorkshire, and to the earl of Salisbury for Dorsetshire. March 2. March 7. March 5.

330. Then both Houses sent to the earl of Northumberland, being High Admiral of England, that 'they had received advertisement of extraordinary preparations made by the neighbouring princes both by land and sea; by which an apprehension was raised in both Houses that the public honour, peace, and safety of his majesty and his kingdom could not be secured unless a timely course were taken for the putting the kingdom into a condition of defence at sea as well as at land: and they did therefore order him forthwith to give effectual direction that all the ships belonging to his majesty's navy and fit for service, and not already abroad nor designed for the summer's fleet, should be rigged, and put in such a readiness as that they might be soon fitted for the sea: and that his lordship would also make known to the masters and owners of March 2.

1642 other ships in any of the harbours of the kingdom [as[1]] might be of use for the public defence, that it would be an acceptable service to the King and Parliament, if they would likewise cause their ships to be rigged, and so far put into a readiness as they might at a short warning likewise be set to sea upon any immergent occasion, which would be a means of great security to his majesty and his dominions.' To which the earl returned an answer full of submission and obedience.

331. I have been assured from persons of very good credit, and conversant with those counsels, that they had it in deliberation and debate to send and take the Prince from his father at Theobald's by force: but that design was quickly
March 7. laid aside when they heard that the King was removed from thence to Newmarket, and was like to make a farther progress. So they used all possible expedition in preparing their Declara-
March 9. tion, which they directed to his majesty, and in which they told him that,

'Although that answer he had given to their petition at Theobald's did give just cause of sorrow to them, yet it was not without some mixture of confidence and hope, considering those expressions proceeded from the misapprehension of their actions and intentions, which, having no ground of truth or reality, might by his justice and wisdom be removed, when he should be fully informed that those fears and jealousies of theirs, which his majesty thought to be causeless and without any just ground, did necessarily and clearly arise from those dangers and distempers into which the mischievous and evil counsels about him had brought the kingdom; and that those other fears and jealousies, by which his favour, his royal presence, and confidence, had been withdrawn from his Parliament, had no foundation or subsistence in any action, intention, or miscarriage of theirs, but were merely grounded upon the falsehood and malice of those who, for the supporting and fomenting their own wicked designs against the religion and peace of the kingdom, did seek to deprive his majesty of the strength and affection of his people, [and] them of his grace and protection, and thereby to subject both his person and the whole kingdom to ruin and destruction.

332. 'That, to satisfy his majesty's judgment and conscience in both those points, they desired to make a free and clear declaration of the causes of their fears and jealousies in some particulars.

1. 'That the design of altering religion in this and his other kingdoms had been potently carried on by those in greatest authority about him for divers years together; and that the Queen's agent at Rome, and the Pope's

[1] ['and,' MS.]

agent or nuncio here, were not only evidences of that design but had been great actors in it. 1642

2. 'That the war with Scotland was procured to make way for that intent, and chiefly invited and fomented by the Papists and others popishly affected, whereof they had many evidences, especially their free and general contribution to it.

3. 'That the rebellion in Ireland was framed and contrived here in England, and that the English Papists should have risen about the same time they had several testimonies and advertisements from Ireland; and that it was a common speech amongst the rebels, (with which,' they said, 'other evidences did concur, as, the information of a minister who came out of Ireland, the letter of one Tristram Whetcombe in Ireland to his brother in England, and many others,) that they would recover unto his majesty his royal prerogative, wrested from him by the Puritan faction in the Houses of Parliament in England, and would maintain episcopal jurisdiction and the lawfulness thereof; which,' they said, 'were the two quarrels upon which his late army in the north should have been incensed against them.

4. 'The cause they had to doubt that the late design, styled *the Queen's pious intentions*, was for the alteration of religion in this kingdom, for success whereof the Pope's nuncio (the count Rosetti) enjoined fasting and praying to be observed every week by the English Papists; which,' they said, 'appeared to them by one of the original letters directed by him to a priest in Lancashire.

5. 'The boldness of the Irish rebels in affirming they do nothing but by authority from the King; that they call themselves *the Queen's army*; that the prey and booty they take from the English they mark with the Queen's mark; that their purpose was to come into England when their business was done in Ireland; and sundry other things of that kind, which,' they said, 'were proved by one Oconelly and others, but especially in the forementioned letter from Tristram Whetcombe wherein there was this passage, *that many other speeches they utter concerning religion and our Court of England which he dares not commit to paper.*

6. 'The many attempts to provoke his late army and the army of the Scots, and to raise a faction in the city of London and other parts of the kingdom. That those who had been actors in these businesses had their dependence, their countenance and encouragement, from the Court; witness the treason whereof Mr. Jermyn and others stood accused, who,' they said, 'was transported beyond seas by warrant under his majesty's own hand, after he had given assurance to his Parliament that he had laid a strict command upon all his servants that none of them should depart from Court; and that dangerous petition delivered to captain Legg by his majesty's own hand, accompanied with a direction signed with *C. R.*

7. 'The false and scandalous accusation against the lord Kimbolton an the five members of the House of Commons, tendered to the Parliament by his own command, and endeavoured to be justified in the city by his own presence and persuasion, and to be put in execution upon their persons by his demand of them in the House of Commons, in so terrible and violent a manner as far exceeded all former breaches of privileges of Parliament acted by his majesty or any of his predecessors:' and they said, 'whatever

1642 his own intentions were, divers bloody and desperate persons that attended him discovered their affections, and resolutions to have massacred and destroyed the members of that House, if the absence of those persons accused had not by God's providence stopped the giving that *word* which they expected for the setting them upon that barbarous and bloody act: the listing of officers and soldiers for a guard at Whitehall; and such other particulars.

8. 'That, after a vote had passed in the House of Commons, declaring that the lord Digby had appeared in a warlike manner at Kingston-upon-Thames, to the terror and affright of his majesty's good subjects and disturbance of the public peace of the kingdom, he should nevertheless be of that credit with his majesty as to be sent away by his majesty's own warrant to sir J. Pennington to land him beyond seas, from whence he vented his own traitorous conceptions that his majesty should declare himself and retire to a place of strength; as if he could not be safe amongst his people. Which false and malicious counsel and advice,' they said, 'they had great cause to doubt made too deep an impression in his majesty, considering the course he was pleased to take of absenting himself from his Parliament and carrying the Prince with him; which seemed to express a purpose in his majesty to keep himself in a readiness for the acting of it.

9. 'The many advertisements they had from Rome, Paris, Venice, and other parts, that they still expected that his majesty had some great design in hand, for the altering of religion, [and] the breaking the neck of his Parliament. That the Pope's nuncio had solicited the Kings of France and Spain to lend his majesty four thousand men apiece, to help to maintain his royalty against the Parliament.' And they said, 'as that foreign force was the most pernicious and malignant design of all the rest, so they hoped it was, and should always be, farthest from his majesty's thoughts; because no man could believe he would give up his people and kingdom to be spoiled by strangers, if he did not likewise intend to change both his own profession in religion and the public profession of the kingdom, that so he might be still more assured of those foreign states of the Popish religion for their future support and defence.

333. 'These,' they said, 'were some of the grounds of their fears and jealousies, which had made them so earnestly implore his royal authority and protection for their defence and security in all the ways of humility and submission; which being denied by his majesty, seduced by evil counsel, they did, with sorrow for the great and unavoidable misery and danger which thereby was like to fall upon his own person and his kingdoms, apply themselves to the use of that power for the security and defence of both which, by the fundamental laws and constitutions of the kingdom, resided in them; yet still resolving to keep themselves within the bounds of faithfulness and allegiance to his sacred person and his crown.

334. 'To the fears and jealousies expressed by his majesty, when he said, "that for his residence near the Parliament, he wished it might be so safe and honourable that he had no cause to absent himself from Whitehall," that,' they said, 'they took as the greatest breach of privilege that could be offered, as the heaviest misery to himself and imputation upon them that could be imagined, and the most mischievous effect of evil counsels; it rooted up the strongest foundation of the safety and honour the Crown

afforded; it seemed as much as might be,' they said, 'to cast upon the 1642
Parliament such a charge as was inconsistent with the nature of that great council, being the body of which his majesty was the head; it struck at the very being both of King and Parliament, depriving his majesty, in his own apprehension, of their fidelity, and them of his protection; which are the mutual bands and supports of government and subjection.

335. They said, 'they had, according to his majesty's desire, laid their hands upon their hearts; they had asked themselves in the strictest examination of their consciences; they had searched their affections, their thoughts, considered their actions; and they found none that could give his majesty any just occasion to absent himself from Whitehall and his Parliament; but that he might with more honour and safety continue there than in any other place.' They said, 'his majesty laid a general tax upon them: if he would be graciously pleased to let them know the particulars, they should give a clear and satisfactory answer. But,' they said, 'they could have no hope of ever giving his majesty satisfaction, when those particulars which he had been made believe were true, yet, being produced and made known to them, appeared to be false, and his majesty notwithstanding would neither punish nor produce the authors, but go on to contract new fears and jealousies upon general and uncertain grounds, affording them no means or possibility of particular answer to the clearing of themselves:' of which they gave him these instances: '1. The speeches pretended to be spoken at Kensington concerning the Queen, which had been denied and disavowed; yet his majesty had not named the authors. 2. The charge and accusation of the lord Kimbolton and the five members, who refused no trial or examination which might stand with the privileges of Parliament; yet no authors, no witnesses, were produced, against whom they might have reparation for the great injury and infamy cast upon them.

336. 'They besought his majesty to consider in what state he was, how easy and fair a way he had to happiness, honour, greatness, plenty, and security, if he would join with his Parliament and his faithful subjects in the defence of the religion and the public good of the kingdom. That,' they said, 'was all they expected from him, and for that they would return to him their lives, fortunes, and uttermost endeavours, to support his majesty, his just sovereignty and power over them. But,' they said, 'it was not words that could secure them in those their humble desires; they could not but too well and sorrowfully remember what gracious messages they had from him the last summer, when, with his privity, the bringing up the army was in agitation: they could not but with the like affections recall to their minds, how, not two days before he gave direction for the aforementioned accusation, and his own coming to the Commons' House, that House received from him a gracious message that he would always have care of their privileges as of his own prerogative, and of the safety of their persons as of his own children.

337. They said, 'that which they expected, and which would give them assurance that he had no thoughts but of peace, and justice to his people, must be some real effect of his goodness to them, in granting those things which the present necessity of the kingdom did enforce them to desire. And in the first place, that he would be graciously pleased to put from him

1642 those wicked and mischievous counsellors which had caused all those dangers and distractions, and to continue his own residence and the Prince's near London and the Parliament; which, they hoped, would be a happy beginning of contentment and confidence between him and his people, and be followed with many succeeding blessings of honour and greatness to his majesty, and of security and prosperity to them.'

338. In the debate of this Declaration, (the like whereof had never before been heard of in Parliament,) in which they took his majesty's doubt of his safety at Whitehall so heavily that they said 'it seemed to cast such a charge upon the Parliament as was inconsistent with the nature of that great council,' (so apprehensive they were of the least suspicion of want of freedom,) the prevalent party carried themselves with that pride and impetuosity that they would endure no opposition or dispute; insomuch as sir Ralph Hopton, (who indeed was very grievous to them for not complying with them,) for objecting against some sharp expressions in the Declaration, (before it passed the House, and when the question was whether it should pass,) as being too distant from that reverence which ought to be used to the King, and saying, upon a clause in which they mentioned their general intelligence from Rome, Venice, Paris, and other places, of some design the King had upon religion and the Parliament, from whence they seemed to conclude that the King would change his religion, that 'they seemed to ground an opinion of the King's apostacy upon a less evidence than would serve to hang
March 4. a fellow for stealing a horse,' was committed to the Tower of London, for laying an imputation upon that committee which had drawn up the Declaration[1]. Notwithstanding which, (after they had imprisoned him,) they thought fit to make that expression less gross and positive; though, as it is set down above, (in which words it passed, and was delivered to the King,) it was thought by standers-by to be very unagreeable to the gravity of a wise court and to the duty of subjects.

339. But in this particular, in oppressing all those who were of different opinions from them, their carriage was so notorious and terrible that spies were set upon, and inquiries made upon,

[1] [He was discharged from imprisonment on March 15.]

all private, light, casual discourses, which fell from those who were not gracious to them: as one Mr. Trelawny, (a member of the House of Commons, and a merchant of great reputation,) was expelled the House and committed to prison, for having said, in a private discourse in the city to a friend, that 'the House could not appoint a guard for themselves without the King's consent, under pain of high treason:' which was proved by a fellow who pretended to overhear him, when the person himself with whom the conference was held declared that he said, 'it might be imputed to them for treason:' and it was confessed on all parts that the words were spoken long before the discovery, and some days before the House had resolved that they would have a guard. And afterwards, upon the old stock of their dislike, when the war began to break out, they again imprisoned this poor gentleman, seized upon all his estate, which was very good, and suffered him to die in prison for want of ordinary relief and refreshment.

1642 March 9. Nov. 23[1].

340. And in this very time we speak of, and in the very business of the militia, when every day very great multitudes with petitions from most of the counties of England and from the city of London were presented to both Houses, to desire them to be put into a posture of defence, and that they would cause the ordinance for the militia to be speedily executed, which was alleged to be an instance of the people's desire throughout the kingdom, and so the chief ground of their proceeding; the most substantial citizens of London, both in reputation and estate, finding that the militia of that city, with which by their charter and constant practice the lord mayor had been always intrusted, was now with a most extravagant power to be committed to a number of factious persons of the city, the major part of whom consisted of men of no fortune or reputation, resolved to petition both Houses not to alter their original constitution and right of their city: and to that purpose a petition was signed by some hundreds, and very probably would in few days have been subscribed by all or most of the substantial citizens of London. The

Feb. 24.

[1] [A petition for release on bail was rejected, March 23, 1643.]

1642 House had notice of this petition, (which they called another conspiracy and plot against the Parliament,) and immediately employed a member of their own to procure a sight of it; who, under a trust of re-delivering it, got it into his hands and
Feb. 24 to March 31. brought it to the House of Commons[1]; upon which, some principal citizens who had subscribed it were examined and committed to prison[2], and a direction given that a charge and
March 17. impeachment should be prepared against the Recorder of London, who, they heard, had been of the counsel in the drawing up and preparing that petition, and they knew was opposite to their tumultuary proceedings. So when the chief
Feb. 10. gentlemen of Oxfordshire heard that a petition had been delivered to the House of Commons in their name and the name of that county against the established government of the Church and for the exercise of the militia, they assembled together to draw up a petition disavowing the former, and to desire that the settled laws might be observed; of which the lord Say having notice, he procured the chief gentlemen to be
March 8. sent for as delinquents, and so suppressed that address. And this was the measure of their justice in many other particulars of the same nature, receiving and cherishing all mutinous and seditious petitions, and discountenancing such as besought the continuance and vindication of the so long celebrated and happy government in Church and State; the prime leaders of
April 21. that faction not blushing in public debates in the House to aver, 'that no men ought to petition for the government established by law, because he had already his wish; but they that desired an alteration could not otherwise have their desires known, and therefore were to be countenanced.'

March 9. 341. The committee which presented the Declaration to the King at Newmarket presented likewise additional reasons, as they called them, for his majesty's return and continuance near the Parliament, as a matter, in their apprehension, of so

[1] [It was brought to the House of Commons on the morning of Feb. 24 at first without signatures, and presented to the House of Lords with signatures the same day.]

[2] [See book V. sect. 51.]

great necessity and importance towards the preservation of his 1642
person and his kingdoms that, they said,

342. 'They could not think they had discharged their duties in the single expression of their desire, unless they added some farther reasons to back it with. 1. His majesty's absence would cause men to believe that it was out of design to discourage the undertakers, and hinder the other provisions, for raising money for defence of Ireland. 2. It would very much hearten the rebels there, and disaffected persons in this kingdom, as being an evidence and effect of the jealousy and division between his majesty and his people. 3. That it would much weaken and withdraw the affection of the subject from his majesty; without which a prince is deprived of his chiefest strength and lustre, and left naked to the greatest dangers and miseries that can be imagined. 4. That it would invite and encourage the enemies of our religion and the State in foreign parts to the attempting and acting of their evil designs and intentions towards us. 5. That it did cause a great interruption in the proceedings of Parliament. Those considerations,' they said, 'threatened so great danger to his person and to all his dominions' that, as his Great Council, they held it necessary to represent to him that their faithful advice, that so, whatsoever should follow, they might be excused before God and man.'

343. Whilst that Declaration was reading, his majesty expressed some passion upon particular expressions; and once, when that passage was read that takes notice of the transportation of Mr. Jermyn 'by his majesty's own warrant, after he had given his word that he had commanded that none of his servants should depart from Court,' interrupted the earl of Holland who read it, and said, 'That's false;' and when he was told, 'it related not to the date, but the execution, of the warrant,' his majesty said, 'It might have been better expressed then: it is a high thing to tax a King with breach of promise.' But after both the Declaration and reasons were read, the King, after a short pause, said to them,

344. 'I am confident that you expect not I should give you a speedy answer to this strange and unexpected Declaration; and I am sorry, in the distraction of this kingdom, you should think this way of address to be more convenient than that propounded by my message of the twentieth of January last to both Houses. As concerning the grounds of your fears and jealousies, I will take time to answer particularly, and doubt not but I shall do it to the satisfaction of all the world. God in his good time will, I hope, discover the secrets and bottoms of all plots and treasons; and then I shall stand right in the eyes of all my people. In the mean time I must tell you, that I rather expected a vindication for the imputation laid on me in Mr. Pimm's speech than that any more general rumours and discourses should get credit with you. For my fears and doubts, I did not think they should

1642 have been thought so trivial and groundless, whilst so many seditious pamphlets and sermons are looked upon, and so great tumults are remembered, unpunished, uninquired into. I still confess my fears, and call God to witness that they are greater for the true Protestant profession, my people and laws, than for my own rights or safety; though I must tell you I conceive none of these are free from danger. What would you have? Have I violated your laws? Have I denied to pass any one bill for the ease and security of my subjects? I do not ask you what you have done for me. Are my people transported with fears and apprehensions? I have offered as free and general a pardon as yourselves can devise. There is a judgment from heaven upon this nation if these distractions continue. God so deal with me and mine, as all my thoughts and intentions are upright, for the maintenance of the true Protestant profession, and for the observation and preservation of the laws of the land. And I hope God will bless and assist those laws for my preservation.'

This being suddenly and with some vehemence spoken by his majesty, and he having taken farther time to answer the Declaration and the reasons, the committee besought him, 'since they were to carry back with them no other answer, that his majesty would vouchsafe to give them what he had spoken in writing;' which the next morning he did: and then the earl of Holland again desired him, 'that he would reside nearer his Parliament,' whereunto the King shortly answered, 'I would you had given me cause, but I am sure this Declaration is not the way to it.' Then being asked by the earl of Pembroke, whether the militia might not be granted, as was desired by the Parliament, for a time? he answered, 'By God, not for an hour! You have asked that of me in this was never asked of a king, and with which I will not trust my wife and children.' He told them, he could not have believed the Parliament would have sent him such a Declaration if he had not seen it brought by such persons; and said he was sorry for the Parliament, but glad he had it, for by that he doubted not to satisfy his people. He said they spake of ill counsels, but he was confident they had worse informations than he had counsels. He told them, the business of Ireland would never be done in the way they were in; four hundred would never do that work; it must be put into the hands of one: and, he said, if he were trusted with it he would pawn his head to end that work.

345. As soon as the committee returned, and reported what answer they had received, and in what disposition and temper they found and left the King, it was ordered that their Declaration which they had sent to him should be speedily printed, and carefully dispersed throughout the kingdom, that the people might see upon what terms they stood; and all other possible courses were taken to poison the hearts and affections of the subjects, and to suppress all those who in any degree seemed to dislike their high proceedings. Above all, care was taken to place such preachers and lecturers in the most populous towns and parishes as were well known to abhor the present government and temperature of Church and State; many of whom were recommended, and positively enjoined and imposed upon parishes, by the House of Commons, and others by such factious members whose reputation was most current: and all canonical clergymen and orthodox divines were with equal industry discountenanced, imprisoned, or forced to a long attendance upon committees or the House, (which was worse than imprisonment,) under the notion and imputation of *scandalous ministers*, which charge and reproach reached all men whose inclinations they liked not, or whose opinions they suspected. And that they might be sure to be as strong and absolute at sea as at land, they appointed the Lord Admiral to send the names of all those captains of ships who were to attend the fleet for that summer service to them, to the end they might have such men in whom they might confide; which his lordship most punctually observed. By which they helped to free him of those officers whom he could not plausibly have discharged, and struck out the names of those whose affections or relations they thought themselves not secure in. 1642 March 12. March 2.

346. The King thought it now time, according to his former resolution, which he had not communicated to many, to remove to York, which was a place of receipt and conveniency for those who were willing to attend him. And to the end that there might be public notice of it, he sent from Huntingdon, when he was upon his journey, a message to both Houses, March 15.

'That, being then in his remove to his city of York, where he intended to

1642 make his residence for some time, he thought fit to send that message to them, and very earnestly to desire them that they would use all possible industry in expediting the business of Ireland; in which they should find so cheerful a concurrence from his majesty that no inconvenience should happen to that service by his absence, he having all that passion for the reducing that kingdom which he had expressed in his former messages, and being by words unable to manifest more affection to it than he had endeavoured to do by those messages; having likewise done all such acts as he had been moved unto by his Parliament. Therefore, if the misfortunes and calamities of his poor Protestant subjects there should grow upon them, (though he should be deeply concerned in, and sensible of, their sufferings,)' he said, 'he should wash his hands before all the world from the least imputation of slackness in that most necessary and pious work.

347. 'And, that he might leave no way unattempted which might beget a good understanding between him and his Parliament,' he said 'he thought it necessary to declare, that, as he had been so tender of the privilege of Parliament that he had been ready and forward to retract any act of his own which he had been informed had trenched upon their privileges, so he expected an equal tenderness in them of his known and unquestionable privileges, which are the privileges of the kingdom; amongst which he was assured it was a fundamental one, that his subjects could not be obliged to obey any act, order, or injunction, to which he had not given his consent.

348. 'And therefore he thought it necessary to publish, that he expected, and thereby required, obedience from all his loving subjects to the laws established; and that they presumed not upon any pretence of order or ordinance to which his majesty was no party, concerning the militia or any other thing, to do or execute what was not warrantable by those laws; he being resolved to keep the laws himself, and to require obedience to them from all his subjects.

349. 'And he once more recommended unto them the substance of his message of the twentieth of January last; that they would compose and digest with all speed such Acts as they should think fit for [the [1]] present and future establishment of their privileges, the free and quiet enjoying their estates and fortunes, the liberties of their persons, the security of the true religion then professed in the Church of England, the maintaining his regal and just authority, and settling his revenue; he being most desirous to take all fitting and just ways which might beget a happy understanding between him and his Parliament, in which he conceived his greatest power and riches did consist.'

350. I have not known both Houses in more choler and rage than upon the receiving this message, which came early to
March 16. them on Wednesday the sixteenth of March. Now the day
March 15. before had been spent in preparing all things ready for the
March 5. execution of the ordinance of the militia; they had voted and resolved, 'that it was not any way against the oath of

[1] ['their,' MS.]

allegiance; that all the commissions to lieutenants under the Great Seal were illegal and void; and that whosoever should execute any power over the militia by colour of any commission of lieutenancy without consent of both Houses of Parliament should be accounted a disturber of the peace of the kingdom.' 1642

Then they agreed upon this proposition, 'That the kingdom had been of late, and still was, in so evident and imminent danger both from enemies abroad and a Popish and discontented party at home, that there was an urgent and inevitable necessity of putting his majesty's subjects into a posture of defence, for the safeguard both of the King and his people; and that the Lords and Commons, apprehending that danger and being sensible of their own duty to provide a suitable prevention, had in several petitions addressed themselves to his majesty for the ordering and disposing the militia of the kingdom in such a way as was agreed upon by the wisdom of both Houses to be most proper for the present exigents of the kingdom, yet they could not obtain it, but his majesty did several times refuse to give his royal assent thereunto.' Upon this proposition, they resolved, 'that in that case of extreme danger, and of his majesty's refusal, the ordinance agreed on by both Houses for the militia did oblige the people, and ought to be obeyed, by the fundamental laws of the kingdom; and that such persons as should be nominated deputy lieutenants and approved of by both Houses should receive the commands of both Houses to take upon them to execute their offices.' All which resolutions were ordered the same night to be printed and published. So that when the King's message from Huntingdon was read the next morning, and seemed to be against their votes of the day before, they concluded, 'that it could not be sent from the King, but that it had been inserted in blanks left in the town for such purposes;' and immediately made a committee to find out by whom that message was framed. But when they remembered that they had voted as much a week before, and had examined the gentleman who brought it and had received it from the King's own hand, they proceeded no further in that inquisition, but March 15. March 17.

1642 satisfied themselves with a new vote, 'That those persons who
March 16. advised his majesty to absent himself from the Parliament, and those that advised him to that message, were enemies to the peace of the kingdom, and justly to be suspected to be favourers of the rebellion in Ireland.'

351. And for the matter itself they resolved to insist upon
March 16. their former votes; and withal declared, 'That when the Lords and Commons in Parliament, which is the supreme court of judicature in the kingdom, should declare what the law of the land is, to have that not only questioned and controverted but contradicted, and a command that it should not be obeyed, was a high breach of the privilege of Parliament.' And this likewise they caused to be speedily printed, lest the King should be able to persuade the subjects that an order of theirs without his consent was no law to compel their obedience. And from this last resolution, by which the law of the land, and consequently the liberty of the subject, was resolved into a vote of the two Houses, which passed without any dispute or hesitation, all sober men discerned the fatal period of both, and saw a foundation laid for all the anarchy and confusion that hath followed.

March 19. 352. It was now known that the King was gone to York, which made them apprehend their principality of Hull might
March 22. be in danger; and therefore they immediately resolve, 'that no forces whatsoever shall be admitted in that town without the immediate consent of both Houses:' which order was sent thither by an express. And having prepared the people to be ready for the militia by publishing, 'that in case of extreme danger they were to obey that ordinance,' they were in the next place to find the danger to be extreme; and to that
March 19. purpose they produced letters without any name, pretended to be written from Amsterdam[1], signifying that, 'they had intelligence there that there was an army ready in Denmark to be transported into England, and was to be landed at Hull;' which, they said, had been confirmed to them by a person of

[1] [From Will. Cranmer, deputy for the Merchant Adventurers at Rotterdam. See book V. § 18.]

reputation from Newmarket, who confirmed the intelligence of Denmark, and added, that there [were[1]] likewise forces ready in France to be likewise landed at Hull. 1642

353. And of this, how gross and ridiculous soever it appeared to wise men, they made a double use (besides the general impression in the people); the one, to colour and countenance their orders to their governor there; the other, to make the King's residence in those parts suspected and grievous, as if he came thither only to bring in foreign forces upon them. With these alarums of foreign forces they mingled other intelligence of the Papists in England, that they had a purpose of making an insurrection; and therefore they proceeded in preparing a bill to secure the persons of those of the best quality and greatest interest, and enjoining the oath of supremacy to be taken with great rigour. And amongst other stratagems they had to humble the Papists, I remember, upon an information that they used their Protestant tenants worse in the raising their rents than they did those of their own religion, there was an order, 'that they should not raise the rents of their tenants above the rates that the Protestant landlords adjoining received from their tenants:' by virtue of which, in some places, they undertook to determine what rents their tenants should pay to them. But in this zeal against the Papists they could not endure that the King should have any share; and therefore when they found that his majesty had published a proclamation in his journey towards York[2], commanding all the judges and justices of peace, and other officers, to put in due execution all the laws and statutes of the kingdom against Popish recusants, without favour or connivance, they presently sent for the shriefs of London to the House of Commons, and examined them why seven priests, who were in Newgate, and had been long condemned, were not executed, the reason whereof they well knew: and when they said that they had received a reprieve for them under the King's hand, they published that with great care in their prints, to take off the credit of the new proclamation; and

March 7, 21.

March 16.

March 22.

[1] ['was,' MS.]

[2] [Issued at Stamford.]

1642 appointed their messengers, whom they were then sending to
April 9. the King with a new declaration, to move his majesty, 'that he would take off his reprieve, and suffer those seven condemned priests to be executed, according to the judgments they had received.'

354. They proceeded now to provide all necessary means for the raising great sums of money, by the diligent collection of what was granted by former Acts, and by a new bill for the
March 11. raising of four hundred thousand pounds for the payment of the great debts of the kingdom, (by which they meant the remainder of the three hundred thousand pounds they had bountifully given to their Brethren of Scotland,) and the support of the war of Ireland: all which moneys were to be received and disposed as the two Houses should direct; of which though the King saw the danger that might, and after did, ensue to them, yet he thought that probable inconvenience and mischieve to be less than that which the scandal of denying any thing upon which the recovery of Ireland seemed to de-
March 26. pend would inevitably bring upon him; and so ratified whatsoever they brought to him of that kind.

355. Amongst other expedients for raising of money for the
Feb. 16. war of Ireland, about this time they made certain propositions to encourage men to be adventurers in that traffick, thus: they concluded that in so general a rebellion very much land must escheat to the Crown by the forfeiture of treason, and that out of such forfeitures satisfaction might be given to those who should disburse money towards the suppression of the rebels; so many acres of land to be allowed for so much money, according to the value of the lands in the several provinces, which was specified in the propositions; which, having passed both Houses, were presented to the King, who (it being about the beginning of February, when the breach of their privileges
Feb. 24. rang in all men's ears) answered, 'that as he had offered, and was still ready to venture, his own person for the recovery of that kingdom, if his Parliament should advise him thereunto, so he would not deny to contribute any other assistance he could to that service, by parting with any profit or advantage

of his own there; and therefore, relying upon the wisdom of his Parliament, he did consent to every proposition now made to him, without taking time to consider and examine whether that course might not retard the reducing that kingdom, by exasperating the rebels and rendering them desperate of being received into grace, if they should return to their obedience.' And, he said, 'he would be ready to give his royal assent to such bills as should be tendered to him by his Parliament for the confirmation of those propositions.' 1642

356. Which answer, together with their propositions, they caused forthwith to be printed, made their committees in all places to solicit subscriptions and to receive the moneys, (the principal and most active persons subscribing first, for the example of others,) and delayed the framing and presenting the bill to the King till they had received great sums of money and procured very many persons of all conditions to subscribe; many coming in out of pure covetousness to raise great fortunes, (five hundred acres of land being assigned for one hundred pound in some counties, and not much under that proportion in others,) some out of pure fear, and to win credit with the powerful party, which made this new project a measure of men's affections and a trial how far they might be trusted and relied on.

357. Then they sent those propositions digested into a bill to the King, with such clauses of power to them and diminution of his own that, upon the matter, he put the making a peace with the rebels there out of his own power, though upon the most advantageous terms; which he was likewise necessi- March 19. tated to pass.

358. But notwithstanding all these preparations on this side the sea, the relief and provision was very slowly supplied to the other side: where the rebels still increased in strength, and by the fame of these propositions enlarged their power, very many persons of honour and fortune who till then had sat still, and either were or seemed to be averse to the rebellion, joining with them as being desperate, and conceiving the utter suppressing their religion and the very extirpation of their

1642 nation to be decreed against them. And without doubt the great reformers here were willing enough to drive them to any extremity, both out of revenge and contempt, as a people easy to be rooted out, and that the war might be kept still up; since they feared a union in that kingdom might much prejudice their designs in this, both as it might supply the King with power and take away much of theirs; whereas now they had opportunity with reference to Ireland to raise both men and money which they might be able to employ upon more pressing occasions, as they will be found afterwards to have done. Neither was it out of their expectation and view that by the King's consenting to that severe decree, he might very probably discourage his Catholic subjects in his other dominions from any extraordinary acts of duty and affection; at least, that it would render him less considered by the most Catholic princes. And they knew well what use to make of any diminution of his interest or reputation. These matters thus settled, for the ease of the two Houses, who were now like to have much to do, they appointed the whole business of Ireland to be managed by commission under the Great Seal of England by four lords and eight commoners[1], whom they recommended to the King, and who were always to receive instructions from themselves. And in this state and disposition were the affairs of Ireland when the King went to York, where let us now resort to him.

March 16, 22.

THE END OF THE FOURTH BOOK[2].

[1] [Seven lords and fourteen commoners.]
[2] ['The end of the third book,' MS., p. 141.]

Note to page 508.

Sect. 198, l. 3. In the recent editions this line is printed, 'laden with nabletts and murderers, and dressed up with waist-clothes.' The word *nabletts* is a mis-reading of *rablettes*, which is the word really but obscurely written in the MSS., and which is another form of *rabonets*, the name of a small kind of ordnance. And *wast-clothes* is Clarendon's change of a word found in the King's Declaration of Aug. 12 (printed at Cambridge by N. N., 4°, 1642, p. 19, and reprinted in Husband's *Collection*, p. 538), from which Clarendon appears to be quoting, where the scene narrated in our text is thus described:—'And thereupon neere one hundred lighters and long-boats were set out by water, laden with sacres, murdering peeces, and other ammunition, dressed up with mast-clothes and streamers as ready for fight.' But the alteration was, no doubt, intentional by Clarendon, *wast-cloths* being an obsolete term used for cloths hung round the sides of a ship to hide the crew from enemies; for which possibly *mast-cloths* was used as synonymous. In the transcript from which the first folio edition was printed, the words 'small pieces of ordnance' are substituted for the words 'rabletts and murderers' (which are erased), presumably as an explanation of an otherwise doubtful passage.

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Clarendon wrote the first part of his History down to end of Bk VIII (or perhaps Bk VIII) during his 1st exile 1646-During his 2nd exile 1668-70 he wrote the Life, going over same ground. This full of mistakes due to lapse of memory e.g. confuses events in Strafford's trial & condenses proceedings of a week into one day! Acct. of the "Incident" differs from that in the History for the worse Grand Remonstrance narrative hopelessly wrong - he is two years out in the date of his own marriage! 1640-2. Cl. patches two narratives together & adds Bk VIII (probably) also Bk XI wh. seems with errors e.g. Fairfax' refusal to march against York two years antedated hence he has to compress Cromwell's Welsh campaign into two or three lines.

There is however more in the Life - e.g. the King comes in for criticism